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Bengal Legislative Assembly

Second Session, 1946

The 2nd, 3rd, 5th, 6th, 7th, 12th, 13th, 14th, 15th, 20th August and 2nd September, 1946

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency Sir FREDERICK JOHN BURROWS, G.C.I.E.

MEMBERS OF THE COUNCIL OF MINISTERS.

(1) The Hon'ble Mr. HUSEYN SHAHEED SUHRAWARDY, Minister in charge of the Chief Minister's Department and of the Home Department.

(2) The Hon'ble Mr. MOHAMMED ALI, Minister in charge of the Finance Department and of the Department of Health and Local Self-Government.

(3) The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN, Minister in charge of the Education Department and of the Department of Land and Land Revenue.

(4) The Hon'ble Mr. AHMED HOSSAIN, Minister in charge of the Department of Agriculture, Forests and Fisheries.

(5) The Hon'ble Mr. JOGENDRA NATH MANDAL, Minister in charge of the Judicial and Legislative Departments and of the Department of Works and Buildings.

(6) The Hon'ble Mr. ABDUL GOFRAN, Minister in charge of the Department of Civil Supplies.

(7) The Hon'ble Mr. ABUL FAZAL MUHAMMAD ABDUR RAHMAN, Minister in charge of the Department of Co-operation, Credit and Relief and of the Department of Irrigation and Waterways.

(8) The Hon'ble Mr. SHAMSUDDIN AHMED, Minister in charge of the Department of Commerce, Labour and Industries.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE ASSEMBLY.

SPEAKER.

The Hon'ble Mr. NURUL AMIN.

DEPUTY SPEAKER.

TAFAZZAL ALI ESQ., *Advocate*.

SECRETARY.

K. ALI AFZAL, ESQ., BARRISTER-AT-LAW.

FIRST ASSISTANT SECRETARY.

AJITA RANJAN MUKHERJEA, ESQ., M.SC. B.L.

THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

Official Report of the Second Session.

Volume LXXI—No. 2.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 2nd August, 1946, at 9-30 a.m.

Present:

Mr. Speaker (the Hon'ble Mr. NURUL AMIN) in the Chair, 7 Hon'ble Ministers and 197 members.

Point of Privilege.

Dr. SURESH CHANDRA BANERJI: On a point of privilege, Sir. আমরা যারা বাংলায় বলি--আমরা আমাদের বক্তৃতার কোন transcript পাচ্ছি না, অথচ যাঁরা ইংরাজীতে বলছেন তাঁরা তাঁদের বক্তৃতার transcript পাচ্ছেন। কালকে খোঁজ করে জানলাম যে বাংলা রিপোর্টারের সংখ্যা অতি কম- তাই তাহাদের পক্ষে আমাদের বক্তৃতার transcript দেওয়া সম্ভব হচ্ছে না। Assemblyতে ইংরেজীতে রিপোর্টারের সংখ্যা ৮ জন, তাঁরা চার batchএ কাজ করেন; আর Councilএতে ইংরেজীর রিপোর্টারের সংখ্যা চারজন। কিন্তু বাংলা রিপোর্টারের সংখ্যা এই Assembly ও Councilএ মিলিয়ে মাত্র দুই জন। অথচ এখন দেখা যাচ্ছে যে বাংলা ও ইংরেজীতে বক্তৃতার সংখ্যা প্রায় সমান। এমতাবস্থায় ইংরেজীতে ১২ জন রিপোর্টার রাখা আর বাংলাতে দুজন রিপোর্টার রাখা--এটা যাঁরা বাংলা বলেন শুধু তাঁদের প্রতি অবিচার নয়--এটা বাংলা ভাষার পক্ষেও অমর্য্যাদাকর--বাংলা দেশের পক্ষেও অমর্য্যাদাকর এবং আমরা যে বাংলা ভাষাভাষীদের প্রতিনিধি--সেই বাংলা ভাষাভাষীদের পক্ষেও অপমানজনক। তাই আপনার কাছে আবেদন করছি--আপনি যত শীঘ্র সম্ভব এই দুই ইংরেজী রিপোর্টার ও বাংলা রিপোর্টারের সংখ্যার সামঞ্জস্য করে তাদের কাজের improvement করবার ব্যবস্থা করবেন,--যাতে আমরা ইংরেজীতে যেমন রীতিমত transcript পাই--বাংলাতেও তেমনিভাবে transcript পেতে পারি।

Mr. SPEAKER: Mr. Banerji has raised a very important question. I am feeling difficulty for want of Bengali reporters and I have written to Government several times for increasing the number, but have not received any satisfactory reply. The point raised here is welcome and I hope the members of the Treasury Bench will take note of it and will try to increase the number of Bengali reporters without delay. The members speaking in Bengali do really suffer from the lack of Bengali reporters. There is no doubt about it.

Mr. HARIPADA CHATTERJEE: মাননীয় Speaker মহোদয়, Government কেন এ বিষয়ে পূর্ব্বেই অবহিত হন নাই এবং আপনি কেন Governmentকে বিশেষভাবে চাপ দেন নাই? এখন থেকে এবিষয়ে অবহিত হবেন কি?

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, you said in connection with Dr. Banerji's point that you have written several times to the Government Department, but nothing has been done so far. Do we understand, Sir, that the Legislative Assembly Department is not as yet under the control of the Hon'ble Speaker, but still remains under the control of the Home Department? If so, in the opinion of this House, I think, it has always been a point of contention on our side that the Legislative Assembly Department should be absolutely under the control of the Hon'ble Speaker and through him of the Legislative Assembly. The Speaker should not have to depend

upon the sweet will of the Home Department. I think something ought to be done to remove this fundamental difficulty and to restore the dignity of the Legislative Department and of this House. The department should forthwith be brought under the control of the Hon'ble Speaker and through him under the control of the honourable members of this House. May we know on this point what is under your contemplation or if you have been pleased to take any steps as yet?

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Other provinces have also done the same thing.

Mr. SPEAKER: I do not think you should engage yourself in a dialogue.

Mr. NIHARENDU DUTT-MAZUMDAR: There is the same convention everywhere. It is only here that by a peculiar set of circumstances, we do not know why, it is not remediable. I hope, Sir, you will be in a position to give some information as to what you have in mind on this point.

Mr. SPEAKER: So far as I am concerned I hold the view that the office of the Legislative Assembly Department is under the control of the Legislative Assembly and its chief executive is the Speaker. As regards the reporters, those who report in English have been placed at the disposal of the Legislative Assembly Department under the control of the Speaker, but so far as the Bengali reporters are concerned, they come to report, but they are still under the control of Government, their services have not yet been placed under the Speaker or the Legislative Assembly Department. Correspondence is going on and we hope that we shall come to a satisfactory decision very soon.

Mr. NIHARENDU DUTT-MAZUMDAR: I suggest that if need be this House might initiate a Bill to remedy this state of affairs and to give the Speaker and this House a definite status in respect of the affairs of this Assembly.

Sir, there is another point on which I want to make a submission. It is the first time, I think, that this House has been constrained on a Friday to sit at a very inconvenient hour in the morning although sometimes we have been used to meet on Saturdays in the morning. I understand that it is the clash of arrangements between the Upper House and this House that is responsible for our having to sit at this time. My submission is this that in any case the Legislative Assembly has this privilege and this privilege ought to be exercised in choosing the time according to its own convenience for its sittings and that we should not be swept from this convention by any consideration whatsoever. This is a matter of privilege. I think the convenience of 250 members of this House as well as the wishes of the Hon'ble Speaker of this House ought to prevail in this matter. Even on other grounds considering the question of convenience or inconvenience of 250 members as against 63 or 65 members, the commonplace principle of the greatest good of the greatest number demands that this House ought to have the precedence in the matter of selecting the time for its meeting. I hope that you will be pleased to take such steps that this House in future may never again be inconvenienced in respect of fixing the hour of its sitting. We must, in any case, as a matter of our privilege, have precedence in respect of fixing the time, and may we hope, Sir, that you will be in a position to give some assurance to the honourable members of this House in respect of this point regarding the time of meeting.

Mr. SPEAKER: I am looking into the matter and I hope to come to a settlement with the Upper House, so that we may work in a spirit of co-operation and mutual convenience.

Mr. NIHARENDU DUTT-MAZUMDAR: But without appeasing them for the time being.

NON-OFFICIAL BILL.

The Bengal Village Self-Government (Amendment) Bill, 1946.

Mr. SPEAKER: Mr. Jasimuddin Ahmed.

(Not moved.)

General Discussion of the Budget.

Mr. RAJENDRA NATH SARKAR: Mr. Speaker, Sir, in venturing to speak a few words criticising the budget as presented to us I do not propose to go into details of the figures of revenue and expenditure during the pre-reform days, when in the words of the Hon'ble the Finance Minister the total expenditure of running the administration of the province was more or less 12 crores only. But to-day the yield from the normal sources of revenue has gone up to 32 crores and the total estimate on the expenditure side stands at 53 crores. This is disappointing and should not be encouraged.

Neither do I propose to recall the days when the administration was run with far less crores of revenue more ably, more efficiently, without famine, without any disaster. But the year of a much higher revenue of 32 crores cannot save us from a deficit of 10 crores besides the India Government grant of an equally large amount. And yet millions of people of Bengal are half-fed, under-fed and even without food, without clothing and without shelter. This is the real picture of Bengal.

The provision of Rs. 25 lakhs for 400 jeep cars and a number of speedy light planes and the provision of Rs. 2 lakhs for air-conditioning the Secretariat Buildings, which the Hon'ble the Finance Minister characterises as minor items, reminds one of the oft-quoted proverb—"When Rome was burning, Nero was fiddling". This sort of provisions can never be called wise nor sane.

As to the notorious programme of boat construction which originated in the midst of quarrel and controversy in 1944 but was approved by the Government of India it did rightly end with a loss of Rs. 1½ crores. But what were the substantially paid supervising officers doing and how the bills could be passed? Is it not simply favouritism, nepotism, jobbery and corruption which are the main causes for the failure of the boat construction programme and the loss of Rs. 2 crores on the sale of subsidised food to the public? Sir, the public has a right to demand an explanation from the Government in all these cases. Suspension or abolition of the department is not sufficient punishment. But they must be treated as criminals. Under the head "Agriculture", out of Rs. 129 lakhs Rs. 89 lakhs goes under Civil Works—Rs. 41 lakhs for the establishment of 28 seed multiplication farms and 1 jute seed multiplication farm. The money provided hereunder will be a total loss to the country.

Again, Sir, there is the breeding plan for which Rs. 3 lakhs has been provided for goats and Rs. 6 lakhs for other livestocks. Will the Hon'ble Finance Minister kindly refresh his memory and remember the Linlithgow breeding scheme and its net result? What prevents the Government to take a lesson from their past experience I do not know.

Sir, the condition of peasants of Bengal is hopelessly miserable. The Government agricultural loan that is being distributed does not exceed Rs. 5 per head.

If the amount set apart for breeding purposes and multiplication farms is given as loan to agriculturists without interest they can themselves improve agriculture in a manner which this Government cannot contemplate.

Sir, I propose to mention a few of the nation-building departments—Medical, Education, Industries and Agriculture—whose total provision for civil works amount to Rs. 382 lakhs. I am of the opinion that at the present

moment the civil works under different departments may be kept in abeyance and the amount thus saved may be advanced as loan to agriculturists to protect themselves from the ravages of Nature and War.

Mr. KANAI LAL DE : মাননীয় সভাপতি মহাশয়--আজকে চারদিন ধরে এই বাজেট আলোচনা হচ্ছে। এই আলোচনাতে আমরা দেখতে পেয়েছি--অর্থসচিব মহাশয় বর্ত্তমান বৎসরের বাজেট উত্থাপন করে কোন দলকেই সন্তুষ্ট করতে পারেন নাই। যে দল তাঁর সমর্থক তারাও এই বাজেট প্রস্তাবের কঠোর সমালোচনা করেছেন। বিরোধী দলের ত কোন কথাই নাই। আমি জানি না, যে আমলাতান্ত্রিক সরকার যারা আজ সরকারী অনুগ্রহে--সেই আমলাতন্ত্র ও শ্বেতাঙ্গ সম্প্রদায়ের স্বার্থ রক্ষা করবার জন্য, তাঁদের নিজেদের গদি রক্ষা করবার জন্য--দেশের অগণিত হিন্দু মুসলমানের স্বার্থ বিলিয়ে দিয়ে যে শ্বেতাঙ্গ সম্প্রদায়কে তুষ্ট করছেন--সেই শ্বেতাঙ্গ সম্প্রদায় ও এই বাজেট প্রস্তাবকে সম্পূর্ণ সমর্থন করেছেন কি না। এই বাজেট একেবারে মামুলী এবং এতে নিয়মতান্ত্রিক গতানুগতিকতা প্রকাশ পেয়েছে। দেশের লক্ষ লক্ষ, দেশের কোটী কোটী নিরন্ন, অসহায় হিন্দু মুসলমান প্রজা, দেশের সহস্র সহস্র গরীব মধ্যবিত্ত গৃহস্থ--তাদের স্বার্থের প্রতি বিন্দুমাত্র দৃষ্টি দেওয়া হয় নাই। এই বাজেটে কেবল কতকগুলি কোটি কোটী টাকা অপব্যয় করা হয়েছে। কোন দূরদৃষ্টি প্রসূত চিন্তার লক্ষণ এতে দেখা যায় না। এই বাজেটে দশ কোটী টাকা ঘাটতি হয়েছে। যদিও তিনি আত্ম প্রশংসায় মুখর হয়ে বলেছেন--বার কোটি টাকা তিনি Development খাতে খরচ করবার জন্য দিচ্ছেন কিন্তু আমি সভাপতি মহাশয়ের মারফৎ অর্থসচিব মহাশয়কে জিজ্ঞাসা করছি--এই টাকা দেশের কাজে ব্যয় করে অর্থনৈতিক সংস্থানের সাহায্য কোথায় পাচ্ছেন? কেন্দ্রীয় গভর্ণমেণ্টের কাছ থেকে টাকা পেয়ে বা তাদের কাছ থেকে ভিক্ষার টাকা নিয়ে অনুচ্ছত্রের ব্যবস্থা করে বড়াই করবার অধিকার তাঁর নেই। তাছাড়া এই যে বার কোটি টাকা ব্যবস্থা করেছেন, তাতে দেশের প্রকৃতপক্ষে কতখানি Development হবে, তা আমাদের বিবেচনা করতে হবে। এই Developmentএ কতকগুলি বড় বড় বাড়ী হবে, কতকগুলি রাস্তা হবে, শ্বেতাঙ্গ বণিকদের, বিদেশী বণিকদের ব্যবসায়ের সুবিধা হবে এবং আমাদের দরিদ্র দেশকে আরও অধিকতর শোষণ করবার সুযোগ পাবেন।

মাননীয় সভাপতি মহাশয়, মন্ত্রী মহাশয় তারপরে দেশের General Administration খাতে যে সমস্ত খরচ ধরেছেন তা অত্যন্ত মামুলী। পুলিশ বিভাগের জন্য প্রায় চার কোটি টাকা বরাদ্দ করেছেন। গত বছরের চেয়ে এই বছরে পুলিশ বিভাগের ব্যয় পনর লক্ষ টাকা বেশী ধরা হয়েছে। কিন্তু পুলিশ বিভাগের ঔদাসীন্য, তাদের কদর্য্য উৎকোচপ্রবণতা অত্যন্ত বেড়ে গেছে। পুলিশ আর এখন দরিদ্র অসহায় জনসাধারণের রক্ষক নয়, তারা এখন ভক্ষক। দলবদ্ধভাবে তারা এখন দেশের উপর, লোকের উপর বর্ব্বর অত্যাচার করে। পূর্ব্ববঙ্গে এই যে মৈমনসিং-এর ভৈরববাজারে কয়েক মাস ধরে প্রকাশ্য দিবালোকে রেল গাড়ীতে নারীদের উপর অত্যাচার হয়ে গেল বাংলা দেশের পুলিশ আজ পর্য্যন্ত কোন প্রতিকারের ব্যবস্থা করতে পেরেছে কি? আমি জিজ্ঞাসা করি সভাপতি মহাশয়কে, ঐ বিভাগের ভারপ্রাপ্ত মন্ত্রীমহাশয়ের লজ্জায় মুখ লুকান উচিৎ ছিল নয় কি? এই কলঙ্কিত, অবনত ও ধিক্কৃত পুলিশ বিভাগের জন্য ষোল লক্ষ টাকা তিনি বরাদ্দ করেছেন। থানা extension এবং ammunition বাড়াবার ব্যবস্থা করেছেন। এই কলঙ্কিত পুলিশ বিভাগের কলঙ্ক সীমা ছাড়িয়া গিয়েছে। তারপর Civil supply বিভাগ। তিনি সেই বিভাগে দু কোটি টাকা খাদ্যশস্যের ঘাট্‌তি বাবদ ধরেছেন। আমি জিজ্ঞাসা করি--এই বিভাগে কত কোটী টাকা অপব্যয় হয়েছে? কত লক্ষ লক্ষ মণ খাদ্যশস্য পচে গিয়েছে। দেশের লোক যখন না খেতে পেয়ে রাস্তার ধারে কুকুর বিড়ালের মত মারা গিয়েছে--তখন সরকারী গুদামে লক্ষ লক্ষ মণ আটা, চাল পচে গিয়েছে। যশোরের রেল ষ্টেশনে হাজার হাজার মণ ধান বর্ষায় ভিজে নষ্ট হয়ে গেল। আর একটি কথা, উনি দেখিয়েছেন মাত্র দু কোটী টাকা ঘাটতি। আমি বলবো ঘাটতি খুব বেশী। ৯।১০৲ টাকা দরে চা'ল কিনে, কলকাতা সহরে ১৬৲ টাকা, ২৫৲ টাকা দরে বিক্রী করে, তাতে কোটি কোটি টাকা লাভ না হয়ে--কোটি কোটি টাকা লোকসান হ'ল কি ক'রে?

Dr. A. M. MALIK: Mr. Speaker, Sir, মাননীয় অর্থসচিব মহোদয় তাঁহার বাজেট বক্তৃতার প্রথম paragraphএ আমাদিগকে ভুল বুঝাইতে চেষ্টা করিয়াছেন। মন্ত্রী পরিষদ গঠনের পূর্ব্ববর্ত্তী কতকটা সময় ৯৩ ধারার অধীন ছিল বলিয়া Bengal Legislative Assembly, Governor's ruleএর ১২ ধারা অনুযায়ী বাজেট পেশ করিতে অসুবিধা হিবায় মাননীয় Governor বাহাদুরকে বিশেষ ব্যবস্থা অবলম্বন করিতে হইয়াছে। উক্ত rulesএ আছে: The annual statement or the statement of the receipts and expenditure of the province in respect of every financial year shall be presented to the Assembly on such day in the preceding financial year as the Governor exercising his individual

judgment may appoint. অর্থসচিব মহোদয় এই বিশেষ ব্যবস্থার আশ্রয় লইয়া বাজেট পেশ করিতে যাইয়া বলিয়াছেন যে "The Governor has been pleased after consultation with the Hon'ble Speaker to make an *ad hoc* rule to validate the delayed presentation of the estimates for the current year." অনুরূপ পরিস্থিতিতে ১৯৪৩ সালে তদানীন্তন অর্থসচিব মাননীয় তুলসী গোস্বামী মহাশয়ও ঠিক একই কথা বলিয়াছিলেন। কিন্তু ১৯৪৩ সালে উক্ত *ad hoc* rule যেভাবে জারী করা হইয়াছিল তাহা মাননীয় সভাপতি মহাশয় ও সভ্যগণ ঐ সালের ৮ই সেপ্টেম্বরের গেজেটে দেখিলেই বুঝিতে পারিবেন। বর্তমান বৎসরে একই অবস্থাতে অনুরূপ rule জারী করা হয় নাই। ১১ই জুলাইএর ২০১৩ A. R. নম্বরের notificationএর দ্বারা গভর্ণর বাহাদুর এক directive দিয়া মূল ১২ নম্বর ruleএর "in the preceding financial year" কথাটা সম্পূর্ণভাবে উড়াইয়া দিয়াছেন। ইহা তাহার order, rule নহে। এই order একটা মারাত্মক নজীরের সৃষ্টি করিয়াছে। ১৯৩৫ সালের India Actএর যে ধারার উল্লেখ করিয়া এই rule জারী করা হইয়াছে তাহাতে বলা হইয়াছে--Section 84 (1) of the Government of India Act "provided that as regards either a Legislative Assembly or a Legislative Council, the Governor shall in his discretion, after consultation with the Speaker, or the President, as the case may be, make rules". কাজেই এই ধারাতে গভর্ণরের এই রকম পরিস্থিতিতে বাজেট পেশ করিবার ও rule তৈয়ারী করিবার ক্ষমতা আছে এবং ১৯৪৩ সালে ৮ই সেপ্টেম্বর তারিখে সেই শক্তি অনুসারে একটা *ad hoc* rule জারী করিয়াছিলেন এবং এবার উহারই বশবর্তী হইয়া এই বাজেট আসিয়াছে। ইহাতে স্পষ্ট বলা হইয়াছে—Friday, July 12, 1946, No. 2013 A. R.

In exercise of the powers conferred.........

Mr. SPEAKER: Dr. Malik, are you discussing the budget?

Dr. A. M. MALIK: Yes, Sir, because the Hon'ble Minister mentioned this in his budget speech. In the first paragraph he was pleased to direct that the rule so and so was subject to the modification that the words "in the preceding financial year".........

The Hon'ble Mr. MOHAMMED ALI: On a point of order, Sir. That is actually not a discussion of the budget. He is raising a point of order which he should have done before the commencement of the debate.

Mr. SPEAKER: I do not think Dr. Malik is discussing the budget. I hope he will confine his speech to the budget.

Dr. A. M. MALIK: Sir, I want to say that the Hon'ble Minister in his first paragraph has tried to mislead us by saying that the Governor has been pleased, after consultation with Hon'ble Speaker, to make an *ad hoc* rule to validate the delayed presentation of the estimates for the current year. But this year the Governor has not made any ad hoc rule. The announcement in the gazette of the 12th July is not an *ad hoc* rule. This is an order or directive from the Governor. By this directive the Governor is taking away from us our inherent right of getting budget of the preceding year.

Mr. SPEAKER: If you raise the point of order, there cannot be any criticism of the budget.

Dr. A. M. MALIK: I want to say that the Hon'ble Minister has misled us and he had no business to mislead us in this way. Mr. Speaker, দ্বিতীয় paragraph এ বলেছে....

Mr. SPEAKER: Dr. Malik, I hope you will speak in English. You can speak very fluently in English. You have just now proved that.

Dr. A. M. MALIK: না স্যার।

Mr. SPEAKER: I won't allow you to speak in Bengali. I am quite helpless in this matter because the Act and the Rules are very clear on this matter that unless a member is unacquainted or not sufficiently acquainted

with the English language, he must speak in English and you have shown fluency in English.

Dr. A. M. MALIK: Mr. Speaker, Sir, Assembly এর গোড়াগুড়ি থেকে আপনি দেখবেন আমি বাংলায় বলে এসেছি। ইংরাজী বেশী জানি না Sir, ম্যাট্রিক পাস মোটে।

(At this stage the red light was lit.)

Mr. SPEAKER: Dr. Malik, you have reached your time-limit. Please resume your seat.

Dr. A. M. MALIK: Let me finish my speech.

Mr. SPEAKER: Please sit down.

Mr. NIHARENDU DUTT-MAZUMDAR: On a point of order, Sir. As regards the language in which a member is to address the House, it is not laid down as to who is to decide whether the member in question is proficient in a foreign tongue such as English sufficiently so as to be able to speak in that language. It is not laid down as to who is to decide that. Therefore, will you not take it that the statement of the member concerned is final and decisive? If the member submits that he would prefer to speak in his own mother tongue and not prefer to speak in English, in that case, Sir, would you not take the honourable member's statement as final and decisive on this point?

Mr. SPEAKER: No, it is a very simple and clear point. I think Mr. Dutt-Mazumdar has gone through the section of the Government of India Act as well as the rules of the Bengal Legislative Assembly Procedure Rules. It is clear that unless a member is unacquainted or not sufficiently acquainted with the English language——

Mr. NIHARENDU DUTT-MAZUMDAR: Sufficiently.

Mr. SPEAKER: Yes, sufficiently. When a member chooses to speak in English and spoke in English for so many minutes, it is sufficient proof that he is neither unacquainted nor not sufficiently acquainted with the English language. That is up to the choice of a member. If he did not at all make any speech in English, there was nobody else to judge whether he is acquainted or unacquainted with the English language. But now that he has given sufficient proof himself of his acquaintance—and a very good acquaintance—with the English language, I think the matter has become very simple in this case.

Dr. A. M. MALIK: মাননীয় সভাপতি মহাশয়, আমাকে আমার মত বাংলায় বলতে দেবেন।

Mr. SPEAKER: I have already ruled that you should speak in English.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, in order not to take up much time of the House, before you come to your final decision, may we see you in your chamber and discuss the point with you? In any case, you will uphold the rights of the members.

Mr. SPEAKER: Yes, you are welcome.

Mr. HARIPADA CHATTERJEE: মাননীয় Speaker মহাশয়, আমার এ বিষয় কিছু বলবার আছে।

Mr. SPEAKER: Mr. Dutt-Mazumdar will come to see me in my chamber. You also come to see me there.

Mr. HARIPADA CHATTERJEE: Sir, একজন যেমন ইংরাজীতে সামান্য বলিতে পারিলেই যে তিনি ইংরাজীতে বক্তৃতা দিতে পারিবেন তাহা নাও হইতে পারে।

Mr. SPEAKER: One day one member chooses to speak in English showing thereby that he is acquainted with the English language. The

second day he will say "I am not acquainted with the English language". That is a position which is inconsistent and which the Speaker is not going to accept. If you choose to speak in Bengali all the time, you will be allowed to speak in Bengali, but if on one occasion you speak in English or for some time you speak in English and then you change your mind and speak in Bengali, that is, I think, inconsistent.

Mr. ABU TAIYAB MAZHARUL HAQUE: On a point of order. It seems rule 9 of the Bengal Legislative Assembly Procedure Rules is very clear and the point that has been made out by my friend Mr. Niharendu Dutt-Mazumdar is not at all tenable because the general rule according to the wording of rule 9 is this: If any member is unacquainted or not sufficiently acquainted with the English language, the Speaker may permit him to speak in any other language. So, the general provision according to the wording of this rule is to speak in English and to speak in Bengali depends only upon the discretion of the Speaker who is the best judge to decide——

Mr. SPEAKER: Order, order. I think we should not spend any more time over this matter because I have asked members who are interested in this matter to see me in my chamber. So, this should not be discussed.

Dr. A. M. MALIK: তাহলে Sir, অনেকের মত বাংলায় বলি।

Mr. SPEAKER: You have already reached your time-limit and you have seen that I am very strict in this matter.

Dr. A. M. MALIK: কালকে Chief whip বলেছেন আজকে আমি ১০।১৫ মিনিট সময় পাব বলবার জন্য, কারণ তিনদিন আগে আমি নাম দিয়াছিলাম।

Mr. SPEAKER: What arrangement you had with your Chief Whip is not my business to investigate and see.

Dr. A. M. MALIK: আমাকে ৫ মিনিট সময় দেওয়া হউক, Sir.

Mr. SPEAKER: Now I see that the Government side wants to take only 55 minutes to-day and you have been allotted 15 minutes. So, I think I should allow you some time more.

Dr. A. M. MALIK: বিশেষ ধন্যবাদ, Sir.

Mr. SPEAKER: Are you not going to speak in English? All right, when I have not come to any decision, you speak in Bengali.

Dr. A. M. MALIK: এই order একটি মারাত্মক অবস্থার সৃষ্টি করিয়াছে। ইহার ফলে গভর্ণর কোন বছরের যে কোন সময় বাজেট পেশ করিতে পারেন। অতএব আইনতঃ এই বাজেট সিদ্ধ এবং বৈধ কি না তাহা আইনজ্ঞদের বিবেচ্য। দ্বিতীয় paragraph—বাজেটের অঙ্কের মধ্যে সামান্য রদবদল,—যদিও তাহাতে অসুবিধা ব্যতীত সুবিধা হয় নাই,—তা'ছাড়া উল্লেখযোগ্য তেমন কিছু নাই। কিন্তু তৃতীয় paragraphএ অর্থসচিব মহোদয় গুরুতর একটা বিষয়ের উল্লেখ করিয়া বেমালুম চাপা দিয়ে গিয়েছেন। অথচ উঁহার নিজের মতেই বাংলার অর্থনৈতিক দুর্দশার জন্য উহাই বিশেষ করিয়া দায়ী। তিনি বলিয়াছেন--"Under the Meston Award the province has never been in a position to properly organise and develop her nation-building activities. অর্থাৎ এক কথায় বলিতে গেলে বলিতে হয় যখন হইতে Meston Award আমাদের ঘাড়ে চাপান হইয়াছে তখন হইতেই আমরা কোন দেশহিতকর কাজ করিতে পারি নাই। এই Meston Awardটি কি? ইহা আমাদের বাংলার নিজস্ব সম্পত্তি। যাহা সারা জগতে দুর্লভ সেই Gold fibreএর বিক্রয়লব্ধ মুনাফার টাকার দু'টি—পাটের ব্যবসা। যদিও পরবর্তীকালে Niemeyer Award দ্বারা আমাদিগকে কিছু ভাগ দেওয়া হইয়াছে কিন্তু তাহা এত সামান্য এবং পাট ব্যবসায়ের control একচেটিয়াভাবে কেন্দ্রীয় Governmentএর এবং বিদেশী ইউ-রোপীয় বণিক সম্প্রদায়ের সমবায়ে নিয়ন্ত্রণ করা হইতেছে, তাহাতে এই সোনার সুতা হইতে আমরা কপর্দকও লাভ করিতে পারি না। অর্থসচিব Meston Awardকে এক কথায় নিন্দা করিয়া চুপ করিয়া গিয়াছেন কেন?

কথায় বলে Government speaks through the budget। কিন্তু পাট চাষ ও পাটের মূল্য নিয়ন্ত্রণ সম্বন্ধে Government সম্পূর্ণ নীরব। বাংলার কৃষি দ্রব্যের মধ্যে পাট সর্বোচ্চ স্থান অধিকার করে। পাট ব্যবসায়ের দ্বারা দেশী এবং বিদেশী রক্ত শোষণকারী পুঁজিবাদীরা অর্থ রাখিবার স্থান পাইতেছে না। অথচ বাংলার চাষী দিন দিন রুগ্ন, কঙ্কাল ও অস্থিচর্ম সার হইতেছে। গত কয়েক বৎসর হইতে আমরা চীৎকার করিতেছি যে পাটের সর্বনিম্ন দাম ঠিক করিয়া দেওয়া হোক এবং সর্বোচ্চ দাম খোলা রাখা হোক। কিন্তু একথা সেকথা বলিয়া আমাদিগকে ভুল বুঝাইয়া রাখা হইয়াছে। এ বৎসর ও শুনিতেছি দেশী ও বিদেশী বণিকেরা মিলিয়া আমাদের তথাকথিত popular Governmentকে হাত করিবার চেষ্টা করিতেছেন, যাহাতে তাহাদের সুবিধা হয় ষোল আনা। ইহা লইয়া আন্দোলনও চলিতেছে বহু। কিন্তু দুঃখের বিষয় এ পর্যন্ত Government হইতে কোন কথা বলা হয় নাই। বাজেট পরিকল্পনাতে এবং অর্থসচিবের বক্তৃতাতেও বিন্দুমাত্র আভাষ পাইলাম না--যাহা হইতে বুঝিতে পারা যাইতে পারে যে ইহাদের মনে কি আছে—(cheers from the Opposition)। আমরা সর্বহারাদের মন্ত্রীদের নিকট হইতে এরূপ আশা করি নাই। বাংলার দুঃস্থ জনগণ--যার অধিকাংশ মুসলমান--তারা এই ঔদাসীন্য সহ্য করিবে না (Hear, hear)। বাজেটের তৃতীয় paragraphএ এক জায়গায় পুনরায় লেখা হইয়াছে "We have now, for the first time, been enabled to bend our energies to the supremely important task of raising the economic standard", mark the words 'economic standard' "and increasing the general well-being of the people." অতি মধুর কথা। কিন্তু কতখানি সত্য তাহা বিবেচ্য বিষয়। তবে ইহা অতি ঠিক কথা যে আমরা যাহারা এদিকে বসিয়াছি তাহারা দেশের Post-war reconstructionএ এবং পাকিস্তান schemeএর নমুনার প্রথম বাজেট ভালই আশা করিয়াছিলাম। সচিব মহোদয়কে কি জিজ্ঞাসা করিতে পারি যে বাজেটের কোন স্থানে তিনি দেশের সত্যিকারের economic standard raise করার জন্য সমস্ত energy bend করিয়াছেন (cheers, hear, hear)। পরের দেওয়া ১২ কোটি টাকার এখানে সেখানে দিয়া খরচ সেখানকে welfare work বলা চলে, relief বলা চলে, খুব বেশী বলিলে developmentও বলা চলে; কিন্তু economic standard raise করা বলা চলে কি করিয়া? অন্যদিকে এই Development schemeকেও দুইভাগে ভাগ করা হইয়াছে, productive and non-productive. Non-productiveএর খরচ Central Government হইতে out—right grant দেওয়া হইবে। Productiveএর বেলায় বলা হইয়াছে for productive or self-financing schemes, which, on completion, will yield adequate revenue to cover the working expenses, the Central Government will advance the requisite loan to cover the initial outlay অর্থাৎ কিনা ধার করিয়া ঐ সকল productive scheme করা হইবে। কিন্তু বাজেটের কোথাও এমন কোন scheme দেখিলাম না যে সম্বন্ধে অর্থসচিব মহোদয় আলোচনা করিয়া ও বিশ্লেষণ করিয়া দেখাইয়া দিয়েছেন যে এই productive schemeএ আমাদের এত খরচ এবং ইহা হইতে ভবিষ্যতে এত আমদানী হইবে। তাহাই যদি বাজেটে না রহিল তাহা হইলে economic standard raise করা হইল কি করিয়া? কেবল employeeদের মাহিনা বাড়াইয়া? তবুও যাহা একটু ভরসা ছিল তাহা অর্থসচিব মহাশয় তাঁহার বক্তৃতার প্রারম্ভে দ্বিতীয় পৃষ্ঠার শেষ লাইনেই শেষ করিয়া দিয়াছেন। তিনি বলিয়াছেন--Such retarding factors as may arise in this connection will consist in lack of materials and trained personnel—not in lack of finance অর্থাৎ কিনা মানুষ ও মাল অভাবে কিছুই হয়ত হইবে না। এত আড়ম্বরের বাজেটের যে এই পরিণতি হইবে, তাহা পুরাণ পাপীরা সকলে জানেন (cheers)। Scheme হয় ত, টাকা হয় না, আর টাকা হয় ত, scheme তৈয়ারী শেষ হয় না। এ হইল আমাদের চিরাচরিত কৈফিয়ৎ। এবার পূর্ব হইতে আভাষ দিয়া রাখা হইল মানুষের ও মালের অভাব হইবে, সাবধান। যদিও Centreএর সাড়ে দশ কোটি এবং গত বছরের সাড়ে সাত কোটি, এই মোট ১৮ কোটি টাকা হাতে লইয়া বাজেট তৈয়ারী হইয়াছে তবুও মোটামুটি আয়ের অঙ্ক কম হওয়া এবং ব্যয় বেশী হইবার কারণ দেখাইতে গিয়া সচিব মহোদয় আবগারীর খাতে আড়াই কোটি টাকা কম ও forestএর খাতে ৪৮ লক্ষ টাকা কম দেখাইয়া দুঃখ প্রকাশ করিয়াছেন। কিন্তু তাঁহাকে এবং ভবিষ্যতের লীগ মন্ত্রিমণ্ডলীর সকলকেই আমরা সাবধান করিয়া দিতেছি যে আবগারীর খাতে যে ৫ কোটি ১২ লক্ষ ৮৬ হাজার টাকা আয়, এমন দিন আসিতেছে যখন তাহার এক পয়সাও সরকারের ঘরে আসিবে না (cheers)। পাকিস্তান মানে যদি আবগারীর আয় বৃদ্ধি করিয়া রাজত্ব চালানো হয়--সে রকম পাকিস্তান আমরা চাই না (hear, hear)। Forestএর খাতে যুদ্ধ শেষ হওয়ার জন্য যে আয় কম তাহা অস্বাভাবিক নয়। যুদ্ধ চিরকাল

থাকিবার নয়। চিরস্থায়ীভাবে এই সকল জঙ্গল হইতে যাহাতে আয় হইতে পারে তাহার কোন ব্যবস্থা এ পর্য্যন্ত কোন অর্থসচিবকে করিতে দেখিলাম না।

ইহার পর ৯ হইতে ১৪ paragraph পর্য্যন্ত সচিব মহোদয় দেখাইবার চেষ্টা করিয়াছেন কি করিয়া ৮নং paragraphএ উল্লিখিত আড়াই কোটি টাকা এবারকার বাজেটে বেশী খরচ হইতেছে। কিন্তু দুঃখের বিষয় ৯ হইতে ১৪ paragraphএ যে বাড়তি খরচ দেখান হইয়াছে বিভিন্ন খাতে তাহা যোগ করিলে দাঁড়ায় মোট ৫ কোটি ৩ লক্ষ। বুঝিতে পারিলাম না, আড়াই কোটি টাকাই বা কোথায় এবং ভুলই বা কোথায়। এখন পৃথক পৃথক করিয়া বিচার করিয়া দেখিতে গেলে দেখা যাইবে প্রথমেই নৈরাশ্যের ছায়া। Civil Supply বিভাগে অনাচার ও ক্ষতি সম্বন্ধে সকল বক্তারাই কম বেশী কিছু বলিয়াছেন। কিন্তু আমি ইহা দেখিতেছি অন্য দৃষ্টি ভঙ্গিতে। যুদ্ধোত্তরকালে অন্যান্য সকল দেশের Government ই দেশের সাধারণের উপকারের জন্য এবং ঐ সকল জনহিতকর কাজে যাহাতে সরকারের হাতে প্রচুর অর্থ থাকে, তাহার জন্য প্রধান প্রধান বাণিজ্য National industryতে পরিণত করিতেছে। আমরাও তদ্রূপ আশা করিয়াছিলাম, কিন্তু দেখিতেছি লক্ষণ ভাল নয়। এক কথায় বলিতে গেলে গত কয়েক বৎসর হইতে কতকগুলি ব্যবসায়ে Civil Supply Department একচেটিয়া নিজ করতলগত ব্যবসায় চালাইতেছে—যাকে monopoly ব্যবসায় বলে। অথচ সেই department হইতে আমাদের এক পয়সা লাভ ত হয়ই না বরং লোকসান দিতে দিতে দেউলিয়া হইয়া যাইতেছি। ইহার কারণ কি? কারণ সকলেই জানেন। কিন্তু এর প্রতিকার হইতেছে না কেন? এই যদি Nationalisationএর নমুনা হয় তাহা হইলে স্বাধীনতার আশা যাঁহারা করিয়া থাকেন তাঁহারা সকলে বাতুল।

আমাদের প্রদেশে জমিদারী প্রথা উঠিয়ে দিবার জন্য ফরিদপুর, বাখরগঞ্জ, হুগলী ও নোয়াখালী সম্বন্ধে যে পরিকল্পনা পেশ করিয়াছেন তাহাও সম্পূর্ণ নিখুঁৎ নয়। এতে দেখান হয় নাই তাঁরা কতদিনে এটা সম্পূর্ণ করিতে পারিবেন এবং এই পরিকল্পনা সম্পূর্ণ করিতে কত খরচ করিতে হইবে এবং ভবিষ্যতে উহা হইতে কত আয় হইবে। যেভাবে ফরিদপুরে, বাখরগঞ্জ প্রভৃতি স্থানে জরিপ চলিতেছে, তাতে বোঝা যায় সত্যিকার জমিদারী-প্রথা আমাদের দেশ হইতে যদি উঠিয়ে দিতে হয়, তাহ'লে ১০০ বৎসরের ভিতরেও হইবে না। সময় অভাবে সংক্ষেপে বলতে হচ্ছে। Irrigation, Agriculture, Industry প্রভৃতি একত্র করিয়া দেখিলে দেখা যায় তাহার কোন জায়গায় কোন পরিকল্পনা নাই। আমাদের জনৈক Parliamentary Secretary বলিলেন যে বাজেটে Electric scheme আছে। কিন্তু তাহা বাদ দিলেও দেখিতে পাই Calcutta Electric Supply Corporationএর সাথে ৭ বৎসর পর পর নূতন contract হয়, আমি জানিতে চাই তাহা আমাদের বর্ত্তমান সরকার তাদের অধীনে আনবেন কি না; তার কোন পরিকল্পনা এতে নাই। Medical খাতে দেখা গেছে কলিকাতায় হাসপাতাল তৈয়ারী হচ্ছে। কিন্তু পল্লীগ্রামে প্রত্যেক ইউনিয়নে এক একটি হাসপাতাল ও dispensary করা হবে সে কথা পরিকল্পনায় নাই। তারপর Public Health ৮।১০ লাইনে শেষ করা হয়েছে। Public Healthএর অভাবে বাংলা দেশ দিন দিন দুর্দ্দশাগ্রস্ত হয়ে পড়ছে। এই খাতে যা বরাদ্দ করা হয়েছে তা অতি যৎসামান্য। তাহারা জেনে শুনে Public Healthএ সুন্দররূপে··········

Mr. SPEAKER: Dr. Malik your time is up.

Dr. A. M. MALIK: এক মিনিট Sir.

Mr. SPEAKER: All right.

Dr. A. M. MALIK: Co-operative সম্বন্ধে বাজেট সম্পূর্ণ নীরব। এর দ্বারা তারা দেশের যে উপকার করতে পারতেন তা করেন নাই। ফলে প্রথম থেকে সমস্ত জিনিষ চোরাবাজারে চলে যাচ্ছে। সমস্ত জিনিষ Co-operative Society মারফৎ বিতরণ ও বিক্রী করবার ব্যবস্থা করতেন তাহলে Governmentএর হাতে অনেক কিছু টাকা আসত এবং বাজেটে এত টাকার ঘাটতি দেখা দিত না। আমার শেষ কথা হইতেছে যে Government সত্যিই যদি তাঁরা আসল কিছু করতে চান তাহা হইলে এই রকম এখানে কিছু দান, সামান্য কিছু কিছু টুকরা টাকরা দান দিলে চলবে না। আমরা একটা sound পরিকল্পনা Governmentএর কাছ থেকে ভবিষ্যতে পেতে চাই যার দ্বারা দেশ সত্যিকার উপকৃত হবে।

(At this stage the member reached the time-limit.)

Mr. SPEAKER: Dr. Malik, please take your seat.

Dr. A. M. MALIK: One second, Sir.

Mr. SPEAKER: No, not a second more.

(The member then resumed his seat.)

Mr. HEMANTA KUMAR BASU: Mr. Speaker, Sir, the Budget has been criticised and condemned not only by the members of the Opposition but also by the supporters of Government. Now if the Government supporters vote with the Opposition then the defeat of the budget is assured—there is no doubt about it. At least a large number of grants will be rejected.

Sir, the Budget presented to us by the Hon'ble the Finance Minister belies the expectations of millions and millions of people. The bulk of the people have to pass their days half fed and half clad, and the children have to go without milk and the sick without medicines. In the Budget I do not find any provision for free and compulsory education. Thousands of people in this country are dying of malaria and cholera and other epidemics. There is no scheme to eradicate malaria or cholera or other epidemics. Only a sum of Rs. 3 lakhs has been set apart for the control of malaria. Why try to control? Why not eradicate it altogether? You want to control because by controlling you will be able to provide some of your supporters. There is no scheme to eradicate the evil. Only Rs. 2 lakhs have been set apart for maternity and child welfare. Sir, there is a proverb in English that child is the father of man, but in our poor country the child dies before the father. You want to build the nation; children are the future nation. I submit, Sir, that Rs. 2 lakhs is quite insufficient to build the future nation.

Now about food, Sir. The Grow More Food scheme is, I submit, Sir, a complete failure. Instead of growing more food you are growing more corruption. The other day a friend on the side of Government was making section 93 responsible for the failure of the food policy in Bengal. But he was avoiding the name; as the Bengali proverb says the name of the *bhadra bou* is avoided in the case of the elder brother of her husband. The Food Commissioner was practically responsible for the failure of the food policy in Bengal. You had not the courage to remove him or even to name him. Sir, in Calcutta, if you go round the city in the morning you will see that hundreds of people are standing in queues like beggars near the ration shops and waiting for hours and hours at the loss of valuable time. Why should you patronise certain ration shops. Why should you allow your patronage to be monopolised by certain shops only? Why don't you allow every shop to have rationed articles, so that the people of Calcutta can get the rationed articles of their own choice without any hardship or trouble?

Then, Sir, about labour there is no scheme in the Budget for relief of labour. The labourers in Bengal work for eight hours and in certain factories they get only Rs. 12 to Rs. 14 only. There is a strike in the Lily Factory. There the workers are on strike. Some of them—some 20—have been arrested by the police. They have been beaten; they have been injured and they have come here. As I said before, Sir, there is no scheme for the relief of labour. Labourers must have a living wage and compensation for their old age and for injuries received. But nothing has been done and no scheme has been prepared for that.

Then I come to sales tax. You know, Sir, that there is a countrywide agitation about sales tax. I understand that certain supporters of the Hon'ble Chief Minister have been exempted from payment of sales tax by a lakh of rupees.

(At this stage the member having reached the time-limit resumed his seat.)

Mr. BEPIN BEHARI GANGULI: Mr. Speaker, Sir, I. C. S. officer বা সোজাসুজি তাঁদের ঊর্দ্ধতন রাজকর্মচারীদের নির্দ্দেশ পালন করবার দিক দিয়ে চলেন, কংগ্রেস বা লীগ মন্ত্রীদের তাঁবে থাকেন না। বাংলা গভর্ণমেণ্টের যে বাজেট পেশ করা হয়েছে তার মূল প্রেরণা তাদের কাছ থেকেই পাওয়া। পাকিস্তানের সোনার

পাকর বর্তী মুসলিম লীগের লক্ষ্য হলেও I. C. S. অফিসারদের বাহানা ইচ্ছায় হোক বা অনিচ্ছায় হোক মানিতে বাধ্য থাকেন। I. C. S. প্রণোদিত মুসলীম লীগের অভিজাত শ্রেণীর নেতারা গণশাসনকে ব্যর্থ করে দেবার মতলবে ভেবেছেন যে জনতাকে প্রতিক্রিয়ার দিকে ঠেলে নিয়ে যেতে পারবেন। কিন্তু তাদের সেই অপকৌশল ব্যর্থ হয়ে যাবে। ১৯৪৬-৪৭ সালের বাংলা সরকারের আয় ব্যয়ের বরাদ্দ সম্বন্ধে সমালোচনা করবার আমরা অধিকারী। বর্তমান বৎসরে চিরাচরিত রাজস্ব খাতে বাংলা সরকারের আয় গত বৎসরের রাজস্ব খাতের আয়ের চেয়ে পাঁচ কোটি টাকা কম হবে। রাজস্ব খাতের সাধারণ খরচ আড়াই কোটি টাকারও অধিক ও বর্তমান বৎসরের শেষ পর্য্যন্ত দশ কোটি টাকা ঘাটতি দাঁড়াবে। রাজস্ব খাতে পাঁচ কোটি টাকা আয় কম হবে নিশ্চয়ই, পরন্ত ভূমি-রাজস্ব ও প্রাদেশিক খাজনা হবে আয়ের পরিমাণ ১৯৩৯-৪০ সালে ঐ বাবদ আয়ের চেয়ে প্রায় পনর কোটি অতিরিক্ত। মজার কথা এই বিগত যুদ্ধের অনতিপুর্ব্ব কালের তুলনায় বাংলা সরকারের আয় আশ্চর্য্যরূপে বর্দ্ধিত হয়েছে ও এই বৃদ্ধি সত্ত্বেও ঘাটতি হওয়া একটা প্রহসনে পরিণত হয়েছে। মা যশোদা তার গোপালকে যত লম্বা দড়ি দিয়ে বাঁধতে চেষ্টা করে থাকুন না কেন, দড়ি দিয়ে বাঁধতে গিয়ে দেখেছিলেন দড়ি কুলান না। বাংলা সরকারের আয় যতই বেড়ে থাকুক খরচের টান বেড়ে গিয়ে দড়ি আয়ত্তে রহিল না। তাহ'লে কথা রইল যে খরচ একবার বৃদ্ধি পেলে তাহা আর সহজে কমান যায় না।

এখন অর্থসচিবের বাজেট বক্তৃতা, দশ পৃষ্ঠা ব্যাপী পরিকল্পনা সম্বন্ধে দেখা যাক। তিনি যে বিপুল অর্থ ব্যয় করতে চান তাতে জাতিগঠনমূলক কাজের উন্নতি হবে কি না তা বলেন নাই। বিবৃতি মধ্যে দেখা গেল যে সেচ বিভাগে রাজস্ব খাত ব্যতিরেকে মোর নদী সেচ পরিকল্পনা থেকে বৎসরের ৪৪ লক্ষ মণ ধান বেশী হবে। কলকাতার লেক অঞ্চলে একটি মেডিকেল কলেজ স্থাপন করা হবে, ক্যাম্বেল মেডিক্যাল স্কুলকে মেডিকেল কলেজে উন্নত করা হবে। ২৩ হাজার জরুরী বেডের অনেকগুলি কতকদিনের জন্য স্থায়ী করা হবে, এই রকমের আন্দাজী পরিকল্পনার বিষয় বস্তু কি হবে এবং তা কতখানি সম্ভব হবে তার হদিস্ কিছু দেন নাই। ভারত গভর্ণমেণ্ট কত টাকা মঞ্জুর করিতে পারেন এই মনোভাব নিয়ে তিনি মসগুল, উন্নয়ন পরিকল্পনা ব্যয় বরাদ্দ এইভাবে ধরা হয়েছে। তার শিক্ষা পরিকল্পনার জন্য ব্যয় বরাদ্দের মধ্যে প্রাথমিক শিক্ষাকে অবৈতনিক ও বাধ্যতামূলক করিবার কোন প্রয়াস নাই। তবে তিনি বিশ লক্ষ টাকা প্রাথমিক স্কুলের শিক্ষকদের বেতন বৃদ্ধির জন্য বরাদ্দ করিয়াছেন। তবে সচরাচর দেখা গিয়েছে মঞ্জুরী টাকা যথার্থভাবে ব্যয় করা সম্ভব হয় না। মফঃস্বল অঞ্চলে জল ও বিদ্যুৎ সরবরাহের ব্যবস্থা দুরাকাঙ্ক্ষার পরিকল্পনা। কেন না ব্যয় বরাদ্দকে নানাভাবে বিভিন্ন দফার মধ্যে বিক্ষিপ্ত করা হয়েছে, তাতে বিশেষ কোন ফল হবে কিনা সন্দেহ। যেভাবে অর্থ ব্যয়ের ব্যবস্থা করা হয়েছে, তাতে অনেকগুলি নূতন চাকরীর সৃষ্টি হবে ও লীগ মন্ত্রীমণ্ডলী দুই হাতে চাকরী বিলাইয়া নিজেদের দল ভারী করতে পারবেন। এইরূপ পরিকল্পনাকে যদি কেউ লীগ-পন্থীদের পাকিস্থান পরিকল্পনার দ্যোতক বলে মনে করেন তা ভুল হবে না। Mr. Speaker, Sir, লীগ-পন্থীদলের সাধারণ সভ্যরা যদি হজরৎ ওসমানের ইতিবৃত্ত স্মরণ করে দেখেন তবে লীগ মন্ত্রীদের পরিকল্পনা হজরত ওসমানের পরিকল্পনা থেকে কত নিম্নস্তরের তা অনুধাবন করতে পারবেন। প্রতি বৎসর এই রাজা প্রজামণ্ডলীকে এক বিরাট সভায় আহ্বান করতেন। তিনি লোটা, কম্বল বা লুঙ্গি প্রত্যেক প্রজাকে বণ্টন করতেন। একবার এই রকম এক ঘটনায় এই সকল দ্রব্য বিতরণ উপলক্ষে নিজের কাছে তিনি দুই প্রস্থ মাল রেখেছিলেন। কিন্তু তাহার প্রজাগণের মধ্যে একজন তাঁহার ঐরূপ কার্য্যে ভীষণ প্রতিবাদ করেন। উত্তরে হজরত ওসমান সর্ব্বসাধারণকে জানালেন যে সাধারণ প্রজা হিসাবে ঐ দ্রব্যের এক প্রস্থ তাঁহার নিজের ও আর এক প্রস্থ তাঁহার পুত্রের প্রাপ্য। গণতন্ত্রের এই শিক্ষায় জনগণের নাগরিক অধিকার সাব্যস্ত হয়েছিল। আজ ইংলিশ তাপের অধিকারে বাস করে গণতন্ত্রের সেই শিক্ষা সাধারণ মুসলমানেরা কি ভুলে যাবে? লীগ আভিজাত্য জনগণের সাধারণ স্বত্বাধিকার কি—— ——

(Here the member reached his time-limit and resumed his seat.)

Dr. SURESH CHANDRA BANERJI : মাননীয় স্পীকার মহোদয়, কালকে আমি একটা মূলতুবী প্রস্তাবের নোটিস দিয়েছিলাম। সেই মূলতুবী প্রস্তাবে স্বীকৃতি না পাওয়ায় কাল সেই প্রস্তাবটি আমার পক্ষে উপস্থাপিত করা সম্ভব হয় নাই। সেই প্রস্তাবের বিষয়বস্তু অতিশয় গুরুতর। কলিকাতায় বিভিন্ন চটকলের ৩২ হাজার পুরুষ ও মেয়ে শ্রমিকের বেকার-সমস্যার সঙ্গে ইহা জড়িত। তাই আমার adjournment motion move করে মাননীয় মন্ত্রী মহোদয়ের কাছে একটা স্পষ্ট উত্তর চেয়েছিলাম। সে প্রস্তাবটি আমার পক্ষে move করা সম্ভব হয় নাই। তাই আমি পাঁচ মিনিটের জন্য সেই বিষয়ে বলবো। আশা করি তিনি স্পষ্ট উত্তর দিবেন।

গত যুদ্ধের সময় কলিকাতার আশেপাশে ১২টি চটকল সামরিক বিভাগ দখল করে নেয়। ফলে এই ১২টি চটকলের শ্রমিকদের অন্য ১২টি কারখানায় B.—shift রূপে কাজ করতে হয়—B.—shiftএ যারা কাজ করে, তারা সকাল সাড়ে দশটা থেকে আড়াইটা পর্য্যন্ত একবার কাজ করে, আর একবার বিকালে তাদের কাজ করতে হয়—সাড়ে ছ'টা থেকে রাত সাড়ে দশটা পর্য্যন্ত। আমি গত নভেম্বর মাসে কারাগার থেকে মুক্তি পাবার পর গভর্ণমেণ্টের কাছে এসম্বন্ধে বার বার আবেদন করি গভর্ণমেণ্টকে স্পষ্ট ভাষায় বলি যে এইভাবে বার মাস রাত্তে কাজ করায় তাদের স্বাস্থ্যও খারাপ হয়ে যাচ্ছে। এই নিয়ে তাদের মনে একটা বিশেষ চাঞ্চল্যের সৃষ্টি হয়েছে। গভর্ণমেণ্টের নিকট এই বলে আবেদন করি—যেহেতু যুদ্ধ শেষ হয়েছে—সেজন্য সামরিক বিভাগের উপর চাপ দিয়ে তাদের বাধ্য করান হোক, যেন তারা অবিলম্বে এই সমস্ত কারখানা ছেড়ে দেয় এবং যেন এই সব কারখানার শ্রমিকরা ঠিক আগেকার মত আপন কারখানায় কাজ করতে পারে। কিন্তু পুনঃ পুনঃ আবেদন সত্ত্বেও গভর্ণমেণ্ট এ বিষয়ে কর্ণ দেয় নাই। ফলে কোন ফল ফলে নাই। যারা B.-shift রূপে এই সমস্ত কারখানায় কাজ করে তার মধ্যে ১২ হাজার হচ্ছে মেয়ে শ্রমিক। কারখানার কানুন অনুসারে মেয়ে শ্রমিকদের পক্ষে রাত্রি সাতটার পর কাজ করা নিষিদ্ধ। কারখানা আইনের ৮ ধারা অনুসারে কোন প্রাদেশিক গভর্ণমেণ্ট যে কোন কারখানা কিংবা সকল কারখানাকে এই আইনের প্রয়োগ হইতে অব্যাহতি দিতে পারে। বাংলা গভর্ণমেণ্টও যুদ্ধের সময় তাই করেছিলেন ফলে এই সব চটকলে এই সব মেয়েদের রাত সাতটার পরও কাজ করা সম্ভব হয়েছিল। কাল অর্থাৎ ১লা আগষ্ট সেই অব্যাহতির আদেশ গভর্ণমেণ্ট প্রত্যাহার করেছে। ফলে এক বিচিত্র অবস্থার সৃষ্টি হয়েছে। যুদ্ধ শেষ হওয়া সত্ত্বেও সামরিক বিভাগ এই ১২টি চটকলের বাড়ীঘর দখল করে বসে আছে। ফলে এই সমস্ত চটকলের শ্রমিকদের এখনও অন্য সব কারখানায় B.—shift রূপে কাজ করতে হচ্ছে। অথচ গভর্ণমেণ্ট orderএর ফলে মেয়েদের রাত সাতটার পর কাজ করা সম্ভব হবে না। ফলে B.—shift রূপে যারা কাজ করত তাদের কাজ বন্ধ হয়ে যাবে এবং মেয়েদেরও বেকার হয়ে পড়তে হবে। শুধু এই নয়; এই সব কারখানায় চেষ্টা করছে যাতে পুরুষের সাহায্যে কাজ চালানো সম্ভব হয়—সম্ভব হলে হয়ত পুরুষদের বেকার হতে হবে না। সম্ভব না হলে কুড়ি হাজার শ্রমিকদেরও বেকার হতে হবে। এইরূপে বর্ত্তমানে বাংলায় বিভিন্ন চটকলে ৩২ হাজার শ্রমিক যার মধ্যে ১২ হাজার মেয়ে ও ২০ হাজার পুরুষ শ্রমিকদের বেকার হতে হবে। তাই গভর্ণমেণ্টের কাছে অনুরোধ করি অবিলম্বে এ বিষয়ে অবহিত হোন। গভর্ণমেণ্ট সামরিক বিভাগের উপর চাপ দিয়ে এসব কারখানাকে মুক্ত করে দিন। যুদ্ধ শেষ হয়ে গেছে, সামরিক বিভাগের এই সব কারখানা দখল করে রাখার আর কোন কারণ নাই। এটা আমাদের আবেদন নয়, এটা হচ্ছে আমাদের দাবী। বাংলা গভর্ণমেণ্ট যদি সত্যিকার শ্রমিক-দরদী হয়, তারা যদি শ্রমিকদের মঙ্গল চান, তাহ'লে Governmentএর পক্ষে এই রকম ব্যবস্থা করা অবিলম্বে আবশ্যক। আর যদি গভর্ণমেণ্টের পক্ষে এইরূপ কাজ করা সম্ভব না হয় তাহ'লে গভর্ণমেণ্ট যে exemption order চালু রেখেছিলেন, সেই অব্যাহতি order চালু রাখুন যাতে মেয়েরা আরও কিছুদিন রাত সাড়ে সাতটার পর পর্য্যন্ত কাজ করতে পারে।

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, before I actually participate in the discussion on the Budget I have got a complaint to make, viz., that the Budget ought to have been presented in the month of April or in the beginning of May but ought not to have been presented in July. Sir, the system of presenting the Budget in July after a large amount has been spent is condemnable. The system has been condemned in the past but the Government has not rectified the practice. So I cannot but take this opportunity of condemning the system of presenting the Budget after a large amount has been spent.

Mr. Speaker, Sir, my friend Mr. Miles of the European Group has told us the other day that the Budget cannot be called a deficit budget if the expenditure on Civil Supplies Department and that on Famine, which according to him is due to the exigencies of the War, be taken out. If that is done, in his opinion, there will not be any actual deficit at all. Sir, may I point out to him that the revenue receipts that have been shown in the Budget Estimates do not indicate the real revenue of the province, for on account of the War the revenue under the head "Provincial Excise" has increased enormously which was never more than Rs. 2 crores in pre-war days. In the year 1943-44 the revenue under the head "Provincial Excise" was Rs. 4,11,94,000 and in the year 1945-46 the revenue under this head has

mounted to Rs. 8,14,16,000. Sir, I shall not put the Government to shame by referring to the Islamic injunction on excise. Sir, it seems the Government is sorry that the revenue under the head "Provincial Excise" will be lower this year by Rs. 2½ crores on account of the cessation of the War.

Mr. Speaker, Sir, my friend the Communist leader here, Mr. Jyoti Basu, has said in connection with the receipt of public money that zemindary should be abolished. I completely agree with him. I have got one more suggestion to make, that is nationalisation of the River Steam Navigation Company. This River Steam Navigation Company make a huge profit but they do not care for the convenience or the inconvenience of passengers and so the River Steam Navigation Company ought to be nationalised. I give this suggestion. I do not know whether Government will accept the suggestion.

Then, Sir, if you are to really push the abolition of zemindary, then there must be legislation with regard to consolidation of holdings. The Government should take immediate steps to bring forward a legislation for the purpose of the consolidation of holdings. Mr. Speaker, Sir, I am definitely of opinion that production will not increase if only zemindary is abolished but along with zemindary private ownership of land should also be done away with. Unless private ownership of land is done away with, production of land will not increase. Government must take immediate steps to introduce this legislation.

Then, Sir, I shall come to the criminal waste of public money and the failure of Government to economise. On that point the first thing that occurs to me is that the Commissioners should go. Mr. Speaker, Sir, you are aware that there was a Bengal Administration Enquiry Committee and the expenditure on this head is Rs. 1,02,685. That expenditure has been wasted because the recommendations of the Bengal Administration Enquiry Committee were that the Commissioners should go, but in reply to a question with regard to this question the Hon'ble Minister said that Government did not see any reason why the Commissioners should go.

Then, Sir, the Jute Regulation Department should go. Last of all according to my view the Civil Supplies Department should also go. (Hear, hear, from the Congress benches.) The Civil Supplies Department will cost us about Rs. 6 crores of rupees. My friend Mr. Hemanta Kumar Bose gave a vivid description of the inconvenience of the people with regard to the purchase of the rationed articles in the city of Calcutta. Do you know what amount of money is spent for rationing in the city of Calcutta? One crore 52 lakhs of rupees is being spent as establishment cost for rationing of the city of Calcutta. Nothing can be more criminal waste than this. With regard to the Civil Supplies Department I have got one thing to say. Along with the Civil Supplies Department we have got the Boat Construction Programme. The Red Book at page 96 will show that the Boat Construction Programme cost us 2 crores in the year 1945-46 and in 1946-47 it will cost us 2 crores 62 lakhs 66 thousand. Then, Sir, the incidental expenses for Boat Construction Programme on account of the officers and the establishment will cost public revenue to the tune of Rs. 52 lakhs 60 thousand. Mr. Speaker, Sir, the House must have seen in the paper that the sale-proceeds of boats are Rs. 52 lakhs 41 thousand. It has cost us Rs. 2 crores 62 lakhs, incidental expenses Rs. 52 lakhs 60 thousand, and we shall get as sale proceeds Rs. 52 lakhs 41 thousand. Mr. Speaker, Sir, the Hon'ble Minister is here. I have a few questions to make and want their answers. I want to know, who was responsible for giving contracts: I want to know who was responsible for giving completion certificates: I want to know who was responsible for the delivery of the boats: I want to know how many boats were constructed, how many have been sold and how many remain to be sold. These are the questions which ought to be answered by the Hon'ble Minister in charge of Finance. I am told, Sir, that a large number of boats still remain to be sold because they cannot be sold in the market. For that

also some boatmen are required and what expenditure is incurred thereon I also want to know. I want to know whether an enquiry has been set on foot for finding out who is responsible for this loss under the head "Boat Construction Programme". Do Government consider the desirability of making an enquiry into the matter? If they do not contemplate to make an enquiry into the matter, I shall think that they are seeking to shield the culprits.

Then, Sir, we have got in the Blue Book at page 520 that loss on account of the sale of subsidised goods is Rs. 2,28,70,000 in the year 1946-47 and Rs. 2,27,69,000 in the year 1945-46. Thus we find that the loss on account of sale of subsidised goods is Rs. 4 crores 56 lakhs 39 thousand.

Then, Sir, I want to deal with development programme but I am afraid I shall not be able to deal with that for want of time. But, the first thing that is necessary is that corruption and bribery should go. Unless corruption and bribery go any scheme, any plan that will be launched by Government will not be fruitful. With regard to this question there were certain recommendations of the Bengal Administration Enquiry Committee but those recommendations were not given effect to. We demand that the recommendations with regard to the establishment of a committee for removal of bribery and corruption as laid down in the Bengal Administration Enquiry Committee should be given effect to. I do not find anything with regard to that in the Budget. The reason, I think, is as expressed by a slang Bengali expression in our part of the country—

যে সরিষায় ভূত সে সরিষা দিয়ে ভূত ছাড়ানো যায় না।

(At this stage the red light was lit.)

Mr. SPEAKER: Mr. Datta, I draw your attention to the red light.

Mr. DHIRENDRA NATH DATTA: Will you give me a few minutes' time? I have a few words to speak with regard to the procurement scheme.

Mr. SPEAKER: All right. You can speak for two minutes more.

Mr. DHIRENDRA NATH DATTA: With regard to the procurement scheme I have been told by my friend Mr. Iswar Chandra Mal, who comes from the district of Midnapore, that the producers do not get the actual controlled price of paddy, viz., Rs. 6-9 and Rs. 6-14. They do not get that price and Government should look into this matter and should see that the producers actually get controlled price, viz., Rs. 6-9 and Rs. 6-14. Sir, the Madras Government has introduced a scheme by which the producers who take their produce to the godown are allowed one rupee more. This system ought to be introduced here. It would be an incentive to the producers. They will take their produce to the godown and they should be given the cost of the conveyance and they should be allowed one rupee more. This practice has been introduced in Madras with good profit and I think the Government of Bengal should introduce a system like this.

Then there is another suggestion which I make. In the procurement area, specially in the district of Midnapore I am told by my friend that really what is purchased is in the shape of rice. He suggests if paddy is purchased, then the producers should be able to get their paddy husked by a husking instrument like *dhenki* and they will get *tush* and other things and thus will be benefited. They will get the benefit of it. Their suggestion is—I do not know whether that suggestion will be accepted—that paddy be converted into rice. That will encourage cottage industry, and the rice can be purchased in the procurement area. That is the suggestion of my friend Mr. Ishwar Chandra Mal, who is conversant with the situation and the circumstances. I think the suggestion will be accepted by Government.

I have one more suggestion to make. Under the head "Agriculture", there is a head "national park". Now what is meant by "national park", and where, if any, it will be established.

(The member having reached his time-limit resumed his seat.)

Mr. KHAIRAT HOSSAIN: Mr. Speaker, Sir, মাননীয় অর্থসচিব মহাশয় যে বাজেট পেশ করেছেন আমরা মফঃস্বলবাসী এটা তুলনা করলে দেখতে পাই যে, ইউনিয়ন বোর্ডের বাজেটের চাইতে কোন অংশে এটা ভাল নয়। ইউনিয়ন বোর্ডের প্রেসিডেণ্ট যখন বাজেট তৈরী করেন, তখন তাঁর লক্ষ্য থাকে যে সার্কেল অফিসার মহাশয় তাঁর সেই বাজেট approve করবেন কি না। আমার মনে হয় এই বাজেট তৈরী করবার সময় তাঁর উর্দ্ধতন কর্ত্তৃপক্ষের সম্মতি নিতে হয়েছিল। তথাপি ইউনিয়ন বোর্ডের বাজেট যা করা হয় তার অঙ্ক থাকে শতের মধ্যে, আর এখানকার বাজেট যা হয় তা কোটি টাকার মধ্যে। সাধারণতঃ ইউনিয়ন বোর্ডের বাজেটে আয় ব্যয় হয়ত ৪৫০৲ টাকা--আর এখানকার বাজেটে দেখতে পাই আয়ে ব্যয়ে মোটামুটি ধরা হয়েছে ৫০ কোটি টাকা। Bengal Government এর বাজেটের চাইতে ইউনিয়ন বোর্ডের বাজেট অনেকাংশে ভাল। সেখানকার বাজেট মেম্বরদের সঙ্গে আলোচনা করবার পর তৈরী করা হয়, আর এখানকার বাজেট তৈরী করবার পর আলোচনা হয়। আমরা তখন শুধু এটা আলোচনা করবার সুযোগ পাই--আর কিছু নয়। অর্থ-সচিব মহাশয় তাঁর বাজেট পরিবর্ত্তন করতে পারেন কি না তাঁর সেই সময় যদি থাকে তা'হলে আশাকরি তিনি এই বাজেট সংশোধন করে আমাদের সামনে পেশ করবেন।

তিনি আশ্বাস দিয়েছেন ১২ কোটি টাকা যেভাবে ব্যয় করা হবে, তার খানিকটা India Government এর কাছ থেকে পাবেন। এই বাজেট ঘাটতি বাজেট। Developement বাবদ তিনি কোটি কোটি টাকা বরাদ্দ করেছেন কিন্তু অন্য দিকে তাকিয়ে থাকতে হয় India Government এর মুখের পানে। সুতরাং এটা তাঁকে হয়ত বাদই দিতে হবে। Development এর জন্য যে খরচ হবে, ১৮ লক্ষ টাকা, আর শিক্ষা বাবদ খরচ হবে ১৯ লক্ষ টাকা। অর্থাৎ শিক্ষার জন্য যেমন বরাদ্দ করেছেন তেমনি যারা উচ্চ শিক্ষিত হয়ে রাজনৈতিক দলে যোগদান করেছেন তাঁদের জেলে রাখবারও ব্যবস্থা করেছেন। (hear, hear) তিনি বলেছেন যে, বিদেশে শিক্ষার জন্য, বছরে প্রায় ৪।৫ লক্ষ টাকা ব্যয় করবেন। গত কাল পত্রিকায় দেখা গেছে ৭৫ জন বিদেশে তাঁরা পাঠাচ্ছেন। সেখানে তিনি ২০ জনের মধ্যে ৪ জন মুসলমানকে পাঠাচ্ছেন। মাননীয় মন্ত্রী মহাশয় মুসলমানদের ভোটে মেম্বার হয়েছেন। তিনি শতকরা ৫০ জন হিসাবে ২০ জনের মধ্যে দশজন মুসলমান medical students পাঠাবার ব্যবস্থা করবেন। কিন্তু সেটা তিনি করেন নাই। মাননীয় কৃষি-মন্ত্রী—তিনি আমাদের জেলার লোক। তিনি মন্ত্রী হওয়ার পূর্ব্বে পাটের দর বেঁধে দেবার জন্য বহু প্রতিশ্রুতি দিয়েছেন। কিন্তু পাটের দর বাঁধা সম্বন্ধে তিনি একদম নীরব। তিনি বেশ আছেন-- I. C. S. অফিসারদের নিয়ে। এরোপ্লেনে ঢাকায় যান, এরোপ্লেনে অন্যান্য জায়গায় tour দেন, তিনি আমাদের কথা একেবারেই ভুলে গিয়েছেন। দেশী গোবরের সার ও গাছের পাতা ইত্যাদি পচিয়ে যে সার হয় সেটা উৎকৃষ্ট সার। কিন্তু তিনি বলেছেন অ্যামোনিয়ার সার উৎকৃষ্ট সার। জানি না তার এই পরিবর্ত্তনের কারণ কি। Irrigationএ যে টাকা বরাদ্দ করেছেন তার ভেতর North Bengalএর জন্য মাত্র ৫ লক্ষ টাকা। তারা খাজনা যে টাকা দেয় তার ন্যায্য অংশ পাবার অধিকার তারা রাখে। এই ৫ লক্ষ টাকা মন্ত্রী মহাশয় দয়া করে দিয়েছেন agriculture বাবদ।

Mr. R. E. PLATEL: Mr. Speaker, Sir, let me first of all congratulate the Hon'ble the Finance Minister on the very lucid manner in which he has presented his budget proposals. To me, Sir, a newcomer to this House, it was indeed a revelation. It is true, Sir, that the Centre, has, in fact, done a lot of the Finance Minister's work—ways and means are the legitimate function of any Finance Minister; the Centre has done most of the thinking for him in this respect. Possibly, Sir, this is the reason why he is able to hold more than one portfolio at the same time. The Finance Minister in his speech referred to the liberalisation of wages for the low paid staff. Liberalisation, Sir, suggests liberalism and *laissez-faire*, but in the context it is quite clear that he meant the opposite of these. He also referred to a comprehensive examination by Government of the pays of all classes of Government servants. May I suggest to him, Sir,

that in the course of this examination he will bear in mind the principle that a just living wage is due to every human being. A just family wage, Sir, does not mean that people should be loafing about Writers' Buildings with their families starving or people walking round the city with their families in far away villages living in starvation. Government may be templed to grow callous to the miseries of the low paid staff, but it is essential that every human being should have enough to provide shelter, clothing and food for himself and his family. Mr. Frank Anthony some months ago raised a stir in the Central Assembly when he suggested a minimum salary for the lowest paid menial staff of the railways of Rs. 50 per month. This, Sir, is inevitable. Why not let Bengal give a lead in this respect? If you examine his budget, Sir, you will find that for a labourer Rs. 50 is the barest minimum on which he can maintain himself and live as an ordinary human being. (Dr. SURESH CHANDRA BANERJEE: Even that will not be sufficient.) It is the minimum. (Dr. SURESH CHANDRA BANERJEE: Rs. 100 should be the minimum.)

I notice, Sir, that the budget proposals provide a sum of Rs. 15 lakhs for the rehousing of *busti*-dwellers on what is referred to as a model scheme drawn up by the Calcutta Improvement Trust. This scheme, Sir, is impracticable. It seeks to bring in the type of houses of western countries. We should rather take the houses as they are built, which can be done more quickly, and build houses on these lines and not try and make them live in houses to which they are completely un-accustomed. This has been tried in other provinces, e.g., in Bombay and has proved to be a failure. Much more can be done and much more quickly with Rs. 15 lakhs if we provide houses more or less on the lines of houses which we have already with more living room in them.

Coming to the major budget proposals, I am afraid any discussion on them must be sketchy in the limited time allowed. I hope Sir, that you will permit my colleagues to speak on the particular demands for grants as they arise.

There has, however, been serious criticism in this House on the running of the Civil Supplies Department, State trading activities and the boat construction programme. The boat construction programme, we realise, is not the responsibility of this Government, but we suggest that a sifting enquiry should be made to bring to book those persons who were responsible for this fiasco, so that they will not have any share in the spending of the large sum of money which the budget provides for development.

Education, Sir, is a crying necessity in a country which is so largely illiterate. But I am disappointed to find that not enough has been provided for this. In particular, Sir, the need of the moment is vocational and technical training, but I have seen no specific reference to this in the budget proposals. If India is to be industrialised, if post-war reconstruction is to proceed apace, there should have been more State aid to vocational and technical training. The need for trained personnel is very great and you are doing nothing to secure them.

I believe, Sir, that I shall be going out of my department if I attempt to deal with the different schemes proposed for agricultural development. But many honourable members of this House who are more able than I am have made serious criticisms, and it is our feeling that the budget goes far but it does not go far enough.

We realise, Sir, that this Ministry is new and that they have had to accept practically *in toto* the budget as drawn up by the Section 93 administration. Sir, we are prepared to wait and see. We are prepared to give them a chance. There will be large sums of money spent and the Ministry should have control over them. We have seen profiteering, blackmarketing, corruption, bribery and all the rest of them during the war. With such large sums of money available for development there is need, Sir, for

control from the Ministry. Sir, my information is that weekly returns are supplied by the Civil Supplies Department as required by the Hon'ble Minister in charge of the department as to the number of vacancies in that department and the number of Muslims who have been appointed. I would like him to deny this, but this is what we have heard. Certainly it is not the function of a Minister to do this. There have been serious complaints—it is, in fact, common knowledge—that there is widespread corruption, bribery and inefficiency in the Civil Supplies Department. It is, I think, the duty of the Ministry to stop all these rather than to see about the percentage of Muslims in the matter of appointments to menial and clerical posts.

Subject to these considerations, Sir, we offer to the Ministry our co-operation and we are prepared, as I said before, to give them a chance to prove their worth. As Shakespeare has said in one of his plays we shall "praise in departing"; we shall judge by results.

Mr. BASANTALAL MURARKA: (The member spoke in Hindi.)

Mr. SPEAKER: I would draw the attention of the honourable member that there is no arrangement for recording speeches in Hindi. If the honourable member wants his speech to be incorporated in the proceedings he will please supply a copy of his speech in English.

Mr. BASANTALAL MURARKA: (The member spoke in Hindi.)

Mr. A. M. ABDUL HAMID: On a point of order, Sir. We are to speak in this House either in English or in the vernacular of the province. Is he allowed to speak in a language which is not intelligible to us at all.

The Hon'ble Mr. MOHAMMED ALI: No, no; it is not unintelligible.

Mr. BASANTALAL MURARKA: (The member spoke in Hindi.) The following is the English translation of the Hindi speech:—

Mr. Speaker, Sir, I have the honour to speak first in the House in our National Language—Hindusthani. This is of great significance, no doubt, in the history of the House. I hope you will have no objection to my speaking in our National Language. The Hon'ble Chief Minister has placed before the House a lengthy and high sounding Budget at a time when we have barely any food to keep our flesh and blood together and cloth to cover up our ladies. Kids are suffering from the dearth of nourishing food and people in many cases are dying for want of proper medicine. These horrible conditions now prevalent in the province remind us of the King Nero who took to dancing when the great city of Rome was burning. This is the suitable analogy applicable to the Bengal Ministry who are complacently passing their days in their cushioned chairs in the Secretariat and are drawing fat salaries out of the revenue of this starved Province. People say corruption is rampant in all departments. Nothing is being done to root it out. No constructive scheme has been included in the budget. The Government that does not endeavour to increase the productive power of the country, or to develop the country by constructive programme, is sure to collapse in the near future. How the jute-growers of Bengal are being impoverished by the foreign merchants is well known to the Ministers. Due to control, jute and hessian are bought at a very low rate from the growers and exported to America. The responsibility of fixing the prices of jute and hessian lies with the Central Government but nevertheless the Bengal Government can take steps to ameliorate the miserable condition of the growers. The fate of the Bengal Ministry depends on the mercy of the foreigners. To keep them in good humour no effort has been made to remove control of jute and hessian. This policy will kill Bengal economically. If I get another opportunity to speak I shall expose secrets behind this conspiracy. Therefore I request the Speaker and the House as well to reject the Budget *in toto.*

Mr. RATAN LAL BRAHMIN: (The member spoke in Hindi.)

Mr. D. GLADDING: Mr. Speaker, Sir, Mr. Miles has already congratulated the Hon'ble Finance Minister on the very clear and able way in which he expounded the budget in this House, and may I congratulate him also, if this is allowed, on the excellence of his briefer statement in the Upper House, a copy of which has fallen into my hands.

The things proposed to be financed by this budget fall into two compartments: first, current administration, or the "basic" budget as the Finance Minister has called it, and secondly, the new development programme or the "development" budget as the Finance Minister has called it. I should like to say a few words about each of these.

In the first compartment, meaning the "basic" budget, expenditure is going to exceed revenue by 10 crores. This excess is more than accounted for by the expenditure under Extraordinary Charges and Famine Relief, which amounts to 13 crores. But for these two heads we should have a surplus on the working of the current year instead of a deficit of 10 crores. For reasons which are familiar to the House, we have a claim on the Government of India for relief in this respect. The Government of India have been good enough to make up our deficits, to the tune of 18 crores, since the war began, and it will be their duty, provided they are satisfied that we have done our best, to come to our assistance once again this year. The task of justifying the 10 crores that are being spent in the Civil Supplies Department will not be a light one. Mr. Miles the other afternoon made it clear that the European Party is far from sure that a satisfactory account can be rendered. We suspect extravagance and waste. Could the Finance Minister let us know how our Civil Supplies budget compares with the Civil Supplies budget of other Provinces, Bombay, for instance, and whether he can justify the difference? We also want, in common with the rest of the House, a fuller explanation of what I will call the fiasco of the boats.

The Centre has also to be satisfied that Bengal has properly exploited her own sources of taxation. Here the Ministry should encounter no difficulty. The behaviour of the Province since the war began has been exemplary to the point of saturation. The Ministry's proposal to carry the process further by raising our petrol tax, already higher than in any other Province, to four times the amount in any other Province is, for the reasons given by Mr. Miles, not to our liking. It goes, in our opinion, much too far, and we hope that Government will see their way to abate their proposals when the Bill comes before the House. Mr. Miles has mentioned certain alternative means of raising more revenue, of which the most fruitful would probably be a grading of the Sales Tax subjecting luxury articles to special rates. The Sales Tax is, in fact, the only tax in the present Provincial List that seems to me to offer prospects of much greater future revenues. Thanks to the numerous exemptions attached to it, it is not at present a burden on the poor; nor need it ever be, if wisely integrated. The recent agitation against it deserves no success and should be strongly resisted. The suggestion, however, put by Mr. Miles, that the tax might be collected at source with a view to checking evasion and to relieving retailers of much inconvenience, will, we hope, receive Government's consideration.

The other compartment, namely, the "development" budget, opens up the most wonderful prospects. Never in the history of the Province has there been anything like it. In common with others who have spoken, we should like the thing to be put more into plan form, with targets fixed, if only as a spur to the administration and as a means to the Legislature of measuring achievement against promises. Bengal's record hitherto in the matter both of drawing up schemes and of carrying them out has been one of the worst, if not the worst, in India. Government should try to pu

this right. The organisational proposals of the Rowlands Committee were directed to this end among others. They should be followed up and carried out.

A word of warning about this "development" budget seems necessary. The Finance Minister seemed to say—I may have misunderstood him—that we need have no financial worries about this part of the budget because the money was coming from the Centre. That, it seems to me, is not the case at all. A great part of these schemes involves recurring expenditure, whereas the Government of India's plan of subventions is limited to five years only; the closing sentence, moreover, of the letter reproduced at the end of the Red Book noticeably says that the five year plan itself is to be financed from "the joint resources of the Provinces and the Centre". We must, therefore, watch the recurring commitments involved, and plan at the same time to have revenues available to support them when Central support expires. Our present revenues are inflated and will collapse considerably. I fear they will collapse so much that even the closing down of the Civil Supplies Department, when it happens, will not put us on an even keel. I notice from the figures given in Appendix II of the Budget spech that, out of the total of 12 crores to be spent on the development programme this year, no less than 10½ crores is classified as non-productive and only 1½ crores as productive. This 10½ crores must contain a very great deal that involves recurring commitments and little that promises connected increase of revenue. It seems to me that not too wise a beginning has been made. Would the Finance Minister please deal with this aspect of the case when he replies?

Very important too, would he please tell us on what principle the Centre fixed Bengal's allocation for the 5 years' programme at 69 crores? Was account taken of our empty exchequer contrasted with the big reserves built up by other Provinces? If not—or if sufficient account was not taken—does he propose to press for a reallocation? The Centre has sent a man to Australia to study the system of allocation according to needs that obtains in that country. This gives Bengal a chance in terms of these Central subventions. I trust that it is not going to be missed.

The Finance Minister in the concluding portions of his speech referred to the tremendous task that lies ahead of the Ministry. It is indeed tremendous. They have our sympathy and will have our support in the proper discharge of it. Here are some of the things to which we attach special importance.

On the food front, there is failure to control prices as they should be controlled, and failure to keep procurement up to safety level. These defects must be corrected immediately. The members of the Opposition have declared their willingness to co-operate, but there seems to be failure so far to put this willingness into gear. The two parties should get together more effectively, starting with the Hon'ble Mr. Suhrawardy and Mr. Kiran Sankar Roy, who in their heart of hearts are not strangers, but friends. A great deal depends upon this.

On the labour front, there is growing chaos. Labour is being keenly, but not too wisely, led; and the risks that this country may be going to fritter away its industrial opportunities, both internally and vis-avis other countries, are considerable. As others have said, Government should declare its labour policy. What is most wanted is machinery for the speedy settlement of labour disputes, and propaganda to bring home to labour that the improvement of their conditions of service, and the raising of their standard of living, is the aim of everybody but must, if it is to be lastingly achieved, be approached gradually and not in one wild leap. Their leaders should be asked to co-operate, and especially to renounce the weapon of illegal strikes without due notice. Things can be adjusted peacefully without all this insane resort to bitterness and lawlessness.

This is another connection in which the control of prices—not merely of rationed articles—is important, and Government's failure to check inflation is of serious consequence.

In the field of law and order, the signs are ominous, especially in this city which has more than once recently been handed over to virtual mob rule. Government has very rightly taken the precautionary measure of increasing the police forces, and we hope there will be no division of the House when it comes to voting the supplies. We should all support Govrnment in this, its most delicate and fundamental function. A further matter in this connection which calls, we think, for Government's serious thought, is the advisability of legislating, as Bombay has done, for the giving of compensation to individuals who suffer damage of person or property in disturbances, paid out of a levy on the inhabitants in the disturbed area. This might act as a deterrent in addition to alleviating suffering.

The suffering in the Chittagong district has already evoked special measures. We were greatly impressed by the clear and factual speech given by Mrs. Sen Gupta who has done such excellent work there. We ask Government to do everything in their power, and will support demands for any extra money that may be necessary.

Sir, this is all I have time to say today. The times are out of joint, and the responsibility of all of us is great. We should be better armed to deal with them if we had the Coalition Government to which this Party looked forward. May the spirit of compromise and mutual accommodation, which was recently so near the surface, emerge with strength enough to see us through.

Mr. J. C. GUPTA: Mr. Speaker, Sir, permit me to congratulate most of the members from the Government benches, who have instead of joining the chorus of congratulations to the Finance Minister, have indulged in profitable and instructive discussions. That sensible departure no doubt is due to the fact that as an organised Party they fought an election and came face to face with the realities of the situation; they came to know the sufferings and needs of the people. While congratulating them, may I hope and trust that in their anxiety to support the Ministry, complacency would not overtake them, and they will always keep a vigilant watch against the Ministry pampering vested interest, encouraging the anti-social activities, and also wasting money on bricks and mortar, and unwanted procuring agents, as also in unnecessary establishments, instead of depending upon people's efforts and co-operation. They will also have to keep a vigilant watch against tinkering with schemes, miscalled development programmes, which are bereft of any co-ordinated or rational plan, or a bold policy to back up. Sir, the Opposition criticism has exposed that this is a wasteful budget without plan and policy. The budget provides for an increase of expenditure for policing the country, as the initiator of the budget debate Sj. Haripada Chatterjee pointed out in detail. The budget provides for burdening the already top heavy administration. As many speakers in the House have pointed out, the budget provides for heavy expenses on buildings. As a matter of fact, the budget provides a veritable paradise for contractor angels, black-marketeers and for job hunters. It ignores altogether the needs and requirements of the suffering masses of Bengal. Here, may I pause and may I be pardoned for a warning that I may have to give to the supporters of Government? They must see that they do not interest themselves in job hunting and contracts. We know very well that some of those whose seats they occupy were badly involved in it, as a result of which this wasteful expenditure could not be stopped, bribery and corruption could not be prevented. If

of the people, it is necessary for them, as well as for everybody in this House, to keep away from these contracts and appointments, and other things, because once they are involved in it, they will not be able to stop corruption. The scandal—"boat contruction fiasco"—cannot possibly be looked into, because people in high office were involved in it. The member representing the Bengal National Chamber of Commerce, Mr. Bimal Comar Ghosh, a promising young member of this House, has pointed out that the present budget is only a rubber-stamp February Budget of the bureaucratic people without even alteration of the provision for air-conditions required by the Western members of the Civil Service. What a sad contrast that the Hon'ble the Finance Minister shall have to provide for air-conditioning of the airy rooms, fanned by electric fans of the Writers' Buildings, and cooled by Khas Khas tatti, as my friend tells me, and not look at the deplorable conditions in which the masses—the majority of the Bengali population—live, move and have their being. To sum up, the criticisms have demonstrated that the budgetary provision compares unfavourably with that of the Provinces of Madras and the United Provinces, as pointed out by Mr. Ghosh. Mr. Gladding just now enquired and wanted to know what is the expenditure in Civil Supplies Department in Bombay. The condition of the United Provinces, so far as area and population are concerned, is more in accord with Bengal, and in place of 6 crores in the United Provinces it is one crore and 20 lakhs for Civil Supplies. That ought to be an eye-opener for us.

It has also been pointed out that it is not the people's budget seeking to provide for the poor, sick and the unemployed. It has no revolutionary outlook, but it is cramped by other bureaucratic traditions who can think only in terms of establishment and department, more and more of it, divorced absolutely from the realities of the situation.

The criticism by Mr. Miles, from the European Party, was that this 10 crores of deficit which appeared in the head-lines of *Statesman* and *Amrita Bazar Patrika*, was not to his liking. I believe he wanted some reference to the beneficial measures embodied in the budget than to the deficit which was pointed out by the *Statesman* and *Amrita Bazar Patrika*, but the beneficent measures which could be commented upon by the *Statesman* and *Amrita Bazar Patrika* would have reference to his Company, the Shaw Wallace, Daulat Ram and the Ispahanis, the procuring agents of Government, who have failed signally, as I will presently show to you. He has suggested that the inflation of prices should be looked into and prevented, but illogically enough he, and I find, Mr. Gladding, have advocated an increase in Sales Tax. Sir, it is known that since there is no Sales Tax in the neighbouring Provinces, the business of Bengal is being diverted. It is very well known that the village people of Bengal can ill-bear the burden of taxation. From this side of the House it has been pointed out that until the Government can stop unavoidable wastage, can stop bribery and corruption, we are not prepared to burden the already over-burdened poor people of Bengal and put further funds in their hands. The Sales Tax is being opposed tooth and nail for the reason that if it was levied throughout the whole of India, Bengali businessmen would not have suffered, Bengali consumers would not have suffered. Mr. Miles has halfheartedly referred to the trading losses in the Civil Supplies Department and he has also made a passing reference to the boat fiasco. I hope the European Group will join with us in insisting upon a sifting enquiry—sifting enquiry not to bring down anybody but to go to the root of it and to prevent recurrence of this thing in future which will enslave in permanent debt the population of Bengal.

With regard to the reference to Labour which has been made by Mr. Miles as also today by Mr. Gladding, may I ask the European Party who are the biggest employers to consider what is the living index today,

to consider what is the wage which is being paid to the labourers? Do they not want labour—an efficient labour? If so, do they not realise that by starving the labourers they cannot possibly get efficient work? Do they not realise that unless they are prepared to take labour as a partner in the huge profits that they make in the shape of conceding bonus and other amenities, they cannot expect an efficient labour? Mr. Gladding has said "it has been keenly led, but not wisely led". There will be this inevitable difference in outlook. We who are interested in the labour population of Bengal, we who see the distressing conditions under which they live, shall try to ameliorate their conditions. If they are forming unions it is not for the fun of strike or for losing their earnings but in order to get for them a living, a decent wage, which will enable them to work and work in co-operation—enable them to increase the profits to a share of which they are entitled. Sir, this question arose during the Calcutta Tramways strike dispute and I am glad to say the Agent agreed that instead of looking at the payment of bonus as a demand for increase in wages, it could very well be considered as a request from them to participate in the profits to which labour has also contributed. I would ask the European employers as also the Indian employers to treat and consider the labour question from that sympathetic stand.

Sir, to appreciate the wasteful expenditure in Civil Supply one has to examine certain figures. I will refer first to the procurement scheme of the Civil Supplies. The supply position is this: In 1945 the *aman* crop is 6 million 6 hundred thousand tons. I have for the purpose of enabling the members of this House to understand it converted it into maunds and crores, which means 17 crores and 82 lakhs maunds. *Aus* and *boro* crop is 2 million tons which means about 5 crores and 40 lakhs maunds——

Mr. ABU TAIYAB MAZHARUL HAQUE: On a point of privilege, Sir. It is understood that every member of this House will have the same privilege so far as the time allowed for speech in this House is concerned. In our case, some of us have got 5 minutes and some 10 minutes, but here we find that the honourable member opposite has already spent more than 20 minutes by now. I do not know why this differential treatment is being meted out.

Mr. SPEAKER: The honourable member is new in this House. He does not know the procedure. The Opposition leader has the right of winding up the discussion on the last day and the Hon'ble Finance Minister while giving his reply will also be given more time.

Mr. ABU TAIYAB MAZHARUL HAQUE: May I take it that he is winding up the debate on behalf of his party?

Mr. SPEAKER: Yes.

Mr. J. C. GUPTA: Therefore the requirement of the Province of Bengal is one million six hundred thousand tons or in other words 4 crores thirty-two lakhs maunds which is the total deficit. In normal years 54 per cent. of the crop is used and kept by the growers and inhabitants of this country and 46 per cent. is calculated as the marketable surplus. This year it will be only 40 per cent. marketable surplus because of the smaller crop. Now calculating 40 per cent. of the *aman* crop it will come to 2 million 640 thousand tons or in crores and maunds 7 crores 12 lakhs and 80 thousand maunds. 40 per cent. of *aus* and *boro* crop comes to 800 thousand tons, i.e., 2 crores and 16 lakhs maunds. Therefore, the total of available surplus is 3 million 440 thousand tons or in other words 9 crores 28 lakhs and 80 thousand maunds. Between January and May which is the time for getting the supplies, Government has only got 17·3 per cent. of this available surplus and for this we have to pay heavily to the buying

agents. Therefore, it is absolutely necessary to do away with these procuring agents. You have got to depend upon the co-operation of the people in order to procure the surplus food which should be kept in the locality under the charge, under the vigilance and under the care of the people of the locality. We know, Sir, that the Storage scheme has dignified itself into a Leakage scheme, for more leakage happens than storage. We know that in procurement which goes to the procuring agents very little amount is handed over to the Government. So far, Sir, with regard to the Procurement and Storage scheme.

Now, Sir, I have got one word to say with regard to the Distribution scheme. You cannot leave distribution in the hands of salaried officers: you must get the co-operation of the people therein. The Ministry, I think, knows very well that in Dacca a non-official committee which was set up worked the whole scheme without any cost to Government and they spent lakhs and lakhs of rupees in giving relief by selling rice which was given to them amongst the population at one rupee or eight annas higher than the controlled rate. Then, Sir, with regard to cloth distribution we were told that cloth rationing could not be introduced in six months' time and we all know that in Calcutta several non-official committees took upon themselves the task of interim distribution of cloth without any cost to the Government. I am sure, Mr. Stark will testify that the non-official cloth distribution committees did their work very well.

(At this stage the member reached the time limit.)

Sir, I want to have a little more time, for I have to deal with some other points.

Mr. SPEAKER: Mr. Gupta, you have already spoken for 20 minutes. We want to rise at 12-30 and I have to give sufficient time to the Finance Minister.

Mr. J. C. GUPTA: All right, Sir. I shall conclude by making an appeal to the Finance Minister. My appeal is—Bring in a revolutionary outlook: break away with the traditions of the past of depending upon the bureaucracy for everything. You will get the support of the members who are behind you and we assure you the support of this side of the House also. Try to become independent of the obstacles put forward by vested interests: try to brush aside the obstacles put forward by black-marketeers, racketeers and profiteers. Then you will have complete co-operation from this side of the House as you find you have the co-operation of your supporters.

The Hon'ble Mr. MOHAMMED ALI: Mr. Speaker, Sir, I rise to tackle a very formidable task of replying to all kinds and manner of criticisms levelled from all sides of the House on the Budget proposals for the year 1946-47 which I presented to the House the other day.

Sir, I am grateful to such members who had some kind words to say for me and for the budget which I presented. I hope the House will realise the limitations under which we are working and the limitations under which we had to present this budget. When we assumed office the financial year had already commenced: the Governor had already prepared a budget during the Section 93 Administration. We had to frame a budget on the basis of the budget that had already been prepared and whatever modifications and alterations that we could make within the short time at our disposal have been incorporated in the proposals which are before the House.

Sir, in this respect I think our position can be very aptly described in the words, if I can quote a poem—" ".

"তুমি ত' জান মোর মনের বাসনা
যত সাধ ছিল সাধ্য ছিল না
তবু বহিয়াছি কঠিন কামনা
দিবস নিশি।"

Mr. Haripada Chatterjee initiated the debate in Bengali. I think he will appreciate the difficulties of this Ministry, that we had to assume office after the commencement of the session and had to present the budget in two or three months' time. So I quoted a Bengali poem so that our position might be clarified.

Sir, I propose to deal with the major issues that have been raised during the discussion of the budget in this House. But it will not be possible or feasible to deal with all the points of very minor or local interest. I shall deal with the issues as they were raised by the various speakers who participated in the debate in the strict order of their participation.

Sir, Mr. Chatterjee who initiated the debate raised some very pertinent issues. He said that there was no careful planning, that the administration is top heavy and that we have maintained a Governor at the cost of Rs. 10 lakhs and Commissioners of Divisions at the cost of Rs. 5 lakhs. He has also criticised the provision for air-conditioning in the Secretariat, the provision for 400 Jeeps, inadequate provision for abolition of the zamindary system and the provision of Rs. 15 lakhs for a temporary Medical College—probably his objection in this case was that the college was of a temporary nature.

Sir, I shall deal with all these issues as they have been repeated by every member following him. I shall also refer to the members who raised those issues.

Sir, with regard to the first point that there is no careful planning in the budget, I have made it clear that our proposals comprise all branches of nation-building activities and I would also like to make it clear that they are merely the foundations on which the future Development projects will be based. The proposals which I have presented before the House, so far as the Development budget is concerned, are only for an interim period. For this financial year a comprehensive plan and programme is being drawn up so that all the future Development projects may fit in and dovetail into the Development proposals now before the House. So his criticism that there has been no careful planning does not take into consideration the fact that other projects are being prepared and are in the process of preparation which will fit in with the scheme that is under the examination of the House and that the whole Development project—all the projects taken together—will be best suited to the development of the Province as a whole. Mr. Chatterjee says that the administration is top heavy. Personally I admit that administration, to a certain extent, is top heavy, but he must realise that we are working within the four corners of the Government of India Act of 1935. There are a lot of limitations which have been imposed on us: we are not a sovereign body: our Province is not independent. Therefore much as we would like to do away with certain anomalies that exist and do away with high-salaried officials I must admit that we are unable to do so. I would like to point out to Mr. Chatterjee that as far back as in 1938 I personally tabled a resolution in the House for a reduction of the salaries of Imperial Service Officers, for I felt that the salaries paid to the Imperial Service Officers were not in conformity with the poor condition of the financial resources of the Province and that they were not compatible with the scales of pay of other kinds of services. This resolution was adopted by the House without any opposition and the proceedings

were forwarded to the Secretary of State for India. But in spite of the fact that eight years have since elapsed no action has been taken. Sir, I have just referred to that to show that even if we make a decision in this House it is not within the competence of the Provincial Government to give effect to that.

Mr. J. C. GUPTA: Do not increase their emoluments and allowances.

Mr. HARIPADA CHATTERJEE: What about extra allowances to the police?

The Hon'ble Mr. MOHAMMED ALI: I would like to ask Mr. Chatterjee to hold his soul in patience. I will deal with all the major issues. I would like to tell him that he should understand that even in Congress Provinces or in Provinces where the Congress really holds the power there has been also a provision for extra allowance under the head "Police".

Sir, so far as the air-conditioning in the Secretariat is concerned, this has been referred to by Mr. Jyoti Basu, Mr. Rafique and Mr. Annada Prasad Chowdhury. The position with regard to this is, as I have made it clear in my statement the other day, that this project was adopted and sanctioned during the Section 93 Administration. It has been asked why is it that we had to adopt the project which was sanctioned during the Section 93 regime. The position is that orders had already been placed by that time and if we did not want to go through with the project we had to pay a very heavy compensation to the firms which had been given the contract. So, when the file came up before me I had the option of two courses—either to scrap the project and pay a heavy compensation of almost about a lakh of rupees or to go through the project. I would have been in favour of rejecting the project altogether even if we could cut down our losses. But the position was this. The administration is now expanding. The Secretariat is not in a position to accommodate the expansion of the various departments. We have then to build another annexe or to build another additional Secretariat so as to accommodate the various new departments and branches of departments that are being created, specially in connection with the execution of development projects. By introduction of this air-conditioning scheme it was felt that the accommodation in the Secretariat would be increased because the space in a room could be utilised for more officers. If for the sake of ventilation and other purposes the room which is being utilised by one officer could be halved, two officers could be made to accommodate in a room provided there is air-conditioning. So this was the main reason which led us to go through with the project and not to scrap it by payment of heavy compensation.

Sir, Mr. Jyoti Basu has said that in air-conditioning there is a danger of the brains of officials being frozen, but Mr. Basu made a wonderful speech in this House while criticising the budget and he did not display any symptoms of his brain being frozen in spite of his being in this air-conditioned chamber for such a long time. I do not see why if his brain could resist being frozen, brains of other persons sitting in the Secretariat will be frozen. Mr. Kiran Sankar Roy at that time interjected "If they have any brains at all". With due respect and humility to the Leader of the Opposition, Sir, I would like to tell him that he should not judge others by his own standard. (Mr. KIRAN SANKAR ROY: Judge by the minimum standard then.)

Sir, another item that has come in for a severe criticism is the provision of Rs. 4 lakhs for the abolition of zemindary. It is said that the money is not adequate. In my statement I made it clear that this provision was made only for settlement operations and revision of settlement operations because this Ministry is committed to not only the abolition of zemindary but the abolition of all rent-receiving interests. The Ministry wants to

bring the tenants and the raiyats into direct relationship with the State and if that has to be done, all the rent-receiving interests in land have to be put on a very proper revised settlement record and that is why it is necessary that a proper record-of-rights will have to be prepared before the question of abolition can be taken up. I can assure the House that this Ministry is very conscious of the fact that unless the zemindary system is abolished the position of the tenantry and raiyats cannot be improved, and if we have got to make progress and if we have got to have more money for development and other improvement, then we must make all the rent-receipts available to the State for the benefit of th people of this Province and the interests of the zemindars and the interests of the intermediaries will have to be acquired by Government, and when that has to be done sufficient provision for payment of compensation—if the Ministry decides that question, it has not been decided yet—will have to be made afterwards. So, the provision that is made now is merely for establishment charges in connection with settlement operations.

Mr. Chatterjee also referred to the provision of Rs. 15 lakhs for temporary Medical College and he wanted to know whether the scheme was of a temporary nature, and if so, why. The scheme regarding this temporary Medical College is this. It is proposed to take up a six years' lease of the portion of the American Military Hospital at the Lakes in Calcutta which lies to the north of the Southern Avenue from private owners and also the Calcutta Improvement Trust to enable 1,000 Medical Licentiates with war service to obtain their degrees during the course of five years after a course of 24 months' further study. The Government of India will bear the total capital expenditure in connection with the establishment of the college and with the college there will be a thousand bedded hospital, and so far as the establishment cost of that hospital is concerned, the establishment cost will be spared equally between the Central Government and this Provincial Government. For the present this is a scheme, as honourable members will realise, for a period of six years.

As Mr. Gladding has very rightly pointed out, the Government of India have made it known to us that they will allocate only about a sum of Rs. 69 crores for our development project for the next four or five years. We do not know what will be the future set up of the Government of India and we do not know what the position of the Provincial Government will be *vis-a-vis* the Central Government. So, it is not really possible at this stage to indicate a scheme of this magnitude without making arrangement or making sufficient arrangement for its recurring expenditure. Therefore, the scheme, as honourable members realise, is of a temporary nature and unless we know what our financial position would be after six years or what will be the position of the Centre *vis-a-vis* the province—unless we know these things, it is not possible to launch a scheme of that magnitude for all time to come.

Now, with regard to the provision for 400 Jeeps, which has also been the subject-matter of severe criticism on the floor of this House, Sir, I would like to explain the policy with regard to this provision. It was proposed to obtain 400 Jeeps and keep a reserve of 10 per cent. in Calcutta and allocate the balance to the districts so as to facilitate moffusal District Officials to tour in the rural area. Perhaps it is realised that for want of proper touring facilities high Government Officials cannot visit out-of-the-way places in the interior of the district. They do not like to go off the beaten track with the result that people living in rural areas, in corners and out-of-the-way places are not in receipt of amenities of life which they are entitled to, and institutions located in these places suffer for want of proper supervision. An honourable member of this House said that most of the officials who will enjoy the benefit of this provision are in possession of motor cars but we have made it clear that it is the Government's policy

that Jeeps should not be utilised for purposes which could be done by ordinary motor cars. Jeeps are to be utilised only for going to places where motor cars cannot go. (Mr. ABDUS SABUR KHAN: What about river districts?) and utilisation of Jeeps for ordinary purposes by Government Officials will be discouraged. (Mr. J. C. GUPTA: I have seen Jeeps being used for sea bathing.) By Military officers probably. (Mr. J. C. GUPTA: No, by civil officers.).

Mr. DHIRENDRA NATH DATTA: What about riverine districts?

The Hon'ble Mr. MOHAMMED ALI: For riverine districts there will be provision for launches.

Mr. SPEAKER: If you go on interrupting like this, the House will have to sit till half past twelve.

The Hon'ble Mr. MOHAMMED ALI: Now, there is another point which Mr. Chatterji has stressed. It is about empty Civil Supplies godowns. I referred to this matter in my reply to an interpellation by another member—Mr. Nishitha Nath Kundu. I told him that he could not have it both ways. He cannot eat the cake and have it at the same time. Government has to make provision for storing facilities. In the past, during the Famine of 1943, there was no adequate arrangement made beforehand to give facilities for the storing of foodstuffs.

Mr. HARIPADA CHATTERJEE: Are the stocks indicated in the book?

The Hon'ble Mr. MOHAMMED ALI: I will come to that later on.

Now let me deal with the point raised by Mr. Nishitha Nath Kundu who said that the budgetary policy of Government has not changed. Sir, may I point out to him that no previous budget ever embraced such ambitious and large scale development projects? I fail to see the ground on which he makes this allegation that the policy has not been changed. It has changed, but I think that the extent of limitations under which we have to present this budget may also be taken into consideration.

Another item which has also been severely criticised is, what has been described by Mr. Gladding as "boat fiasco." I shall take up this matter presently. I would like to make it clear that we are not responsible for this fiasco. It is a legacy which we have inherited. I will explain very briefly the position with regard to this matter.

The total payment made in 1944-45 was 10 lakhs.

	In 1945-46	.. 1 crore 57 lakhs.
Outstanding bills due for payment in 1946-47		.. 95 lakhs.
	Total	.. 2 crores 62 lakhs.

The amount of loss hitherto reported is 1 crore 73 lakhs.

The policy adopted in placing orders has been that the Department of Civil Supplies, which was in charge of the project, had the work executed through the Director of Industries and a Military Officer with supposed knowledge of boat building. Advance payments were also made to parties entrusted with boat building work. The members will realize that the construction of boats was undertaken at the time of war emergency. The boats were destroyed in Eastern Bengal as a result of the denial policy, and therefore, it was felt that some boats must be immediately placed at the disposal of persons who had suffered a huge loss, so that normal trade of the country could be resumed. With this idea the whole thing had to be rushed through and advance payments had also to be made to parties entrusted with boat building to enable them to obtain raw materials and pay labour. Such

advance often amounted to as much as 50 per cent. Unfortunately the contract was framed in such a way that Government had very little power of control, and I am also told now that at that time it was represented that this was the only way in which the work could be done.

Dr. SURESH CHANDRA BANERJEE: The contractors who were there had never any connection with this business.

The Hon'ble Mr. MOHAMMED ALI: I will make enquiries in this connection.

I have made some enquiries and found that the contract was framed in such a way that even if the boats were found defective, Government were liable to make payments. I must confess that I could not think that such could be the position.

Mr. J. C. GUPTA: Are you going to make an enquiry?

The Hon'ble Mr. MOHAMMED ALI: I agree with the honourable member that it calls for a searching enquiry, and I assure him that a searching and sifting enquiry will be made into this matter, and whoever is held liable and responsible, due punishment will be meted out to him.

Dr. SURESH CHANDRA BANERJEE: How long will that enquiry take?

The Hon'ble Mr. MOHAMMED ALI: I am afraid, I cannot foretell, but we will have the matter done as expeditiously as possible.

Dr. SURESH CHANDRA BANERJEE: Will that enquiry be departmental and the report placed before the House?

The Hon'ble Mr. MOHAMMED ALI: I will consider the matter.

It has also been stated on the floor of this House by more than one member that the acquisition of land, building, tools and plants will cover crores of rupees. The honourable members must realise that the prerequisite for launching into big development plans is that they must spread over a number of years. This is the first year in which we are undertaking development projects and in the initial stage a lot of money will be required for the purchase of equipment, etc. In future years other schemes which will be made to fit in these schemes will not necessarily consume such a lot of money for building purposes. Besides this, there is another point which I would like to place before the House. The Government of India insist that a large part of the money should be spent for building purposes, because the Government of India feel that in order to solve to some extent the unemployment problem, huge constructions should be undertaken by the Provincial Government, and that is the reason why they are agreeable even to pay us 75 per cent. of the cost of construction so far as accommodation of police is concerned. We are building a lot of barracks for police, and even though it does not normally come within the normal Development project, Government of India is agreeable to contribute towards the cost of construction of buildings, on the ground that this will go a long way to helping the unemployment problem, and give some money to the labouring classes.

Dr. SURESH CHANDRA BANERJEE: Has it any connection with the reconstruction plan in England?

The Hon'ble Mr. MOHAMMED ALI: I am afraid, I do not know. (Interruptions.)

Mr. SPEAKER: There has been too much interruption.

The Hon'ble Mr. MOHAMMED ALI: A provision of Rs. 10,000 has been provided in the budget for the construction of a national park at Kalimpong,

where wild beasts and animals will be reared, their habits and nature carefully studied. It will help Government in formulating other kinds of plans. It is an experimental project and only a provision of Rs. 10,000 has been made.

There has been a lot of criticism about internal administration of the Civil Supplies Department. It is not possible for me to go into details now. The matter will be fully dealt with when honourable members move their respective cut motions.

There is another point regarding Government subsidy. It has been stated by Mr. Nishitha Nath Kundu that Government are purchasing rice at Rs. 10-8 and selling at Rs. 13 to Rs. 16, and yet showing loss in trading transaction. Sir, I shall not deal with this matter now fully. Sir, my honourable colleague, the Minister for Civil Supplies, will deal appropriately, when he moves the demand in respect of the procurement operations of the Civil Supplies Department, with the circumstances relating to the loss on the sale of subsidized food. All that I need say at this stage is that although the purchase price of rice and paddy has come down, the existence of old stock procured at highly inflated prices raises the valuation of the total quantity with which Government has to deal in the course of the year. The margin of loss is being steadily reduced, but the stage has not yet been reached when the loss can be fully eliminated. I may state for the information of the House that the loss on this score was as much as Rs. 13 crores and 95 lakhs in 1944-45. With improved storage facilities and stricter supervision coupled with reduction both in purchase price and in the quantity purchased the estimated loss in the current year stands at 2 crores and 30 lakhs. I can assure the House that constant vigilance will be exercised and the most stringent efforts made with a view to minimising the loss as far as practicable. I am unable to appreciate the observation made by Mr. Miles that the loss on the sale of subsidised food should not appear in the Budget. It is a well-accepted principle of budgeting that all losses which can be ascertained should be written off against the revenue and this writing off should be shown in the Budget to enable the House to vote on it. Any deviation from this principle will be unsound both financially and constitutionally.

As for the costing I have got figures before me regarding the average cost of rice per maund. In April, 1946, the purchases were made at Rs. 13-10-4, in May, 1946, at Rs. 13-12-9 and in June, at Rs. 13-12-7. This is made up as follows:—The price of bare rice in sites in April, 1946, is Rs. 11-1-6. Addition due to freight, commission, transit, and loss, etc., is Rs. 2-8-10. This is how the total of Rs. 13-10-4 has been arrived at. In May, 1946, the price of bare rice is Rs. 11-3-9 and addition due to freight, etc., Rs. 2-9-0, total being Rs. 13-12-9 and in June, 1946, the price of bare rice is Rs. 11-3-8 and addition due to freight, etc., Rs. 2-8-11, total being Rs. 13-12-7. Our average selling price ex-godown to wholesalers as well for direct retail sale in Government shops in Calcutta only is Rs. 13-8-3 for the period from the 1st July, 1945, to the 31st December, 1945. So you will realise that the allegation that Government is purchasing rice at a very low cost and making profit on it is not correct. Government have to make a lot of expenditure on top of the purchase price at sites and then Government have to sell to the wholesalers at a lower price than that at which rice is sold by the wholesaler to the retailers and then by the retailers to the consumers. On top of the Government price the wholesaler makes his margin of profit and then from the wholesaler it passes on to the retailer who makes his margin of profit when rice is sold to the consumer. Therefore, the margin of difference between the purchase price and the price at which the consumer obtains rice is not absorbed by Government. (Mr. J. C. Gupta: You could get 4 crores in this business.)

Mr. Kundu has referred to political prisoners. He took a good deal of interest in political prisoners even during the last tenure of his office and I

had to answer a lot of questions. He is reviving it. We had an adjournment motion in the other House and I made the position of Government clear. I hope Mr. Kundu will realise that this Ministry has released all security prisoners including some of those who were arrested by a Government which was manned at that time by friends and representatives of Mr. Kundu's party. This Ministry has been able to release them also. I think the honourable member will realise that this redounds very much to the credit of this Ministry.

Sir, a comparison has been made with other Provinces. I think, it is not strictly speaking correct to compare our case with that of other Povinces. (Dr. SURESH CH. BANERJI: Why not?) Apart from utter difference in the political situation in two or three Provinces Mr. Kundu should realise that in other Provinces some of the Ministers have walked from behind the prison bar to the Secretariat and they have been able to release their friends and party-men whereas we are releasing prisoners who are not our party-men. It is to the eternal credit of this Ministry that they appreciate the civil liberties of the people and they have been able to release all security prisoners.

Mr. DHIRENDRA NARAYAN MUKHERJEE: Soon you will be going to jail and we shall be releasing you. (Laughter.)

The Hon'ble Mr. MOHAMMED ALI: Mr. Maiti has raised an important point regarding reduction of salaries and allowances of Ministers, Speaker and other members of the Assembly. I would refer him to the Provinces which are now being administered by his party-men. He probably knows that salaries of Ministers and members of the Assembly have been increased in those Provinces after the assumption of office by the Congress and in many cases they have been doubled (Mr. KIRAN SANKAR ROY: Not to the extent you are getting.) whereas salary of Ministers in this Province is the same as it was in the year 1937 when the Provincial Autonomy came into existence and 50 per cent. less than what it was before the ushering in of the Provincial Autonomy. (Mr. J. C. GUPTA: And much less than the Governor's salary.)

Now, I come to the point raised by Mr. Debendra Nath Sen. He has referred to the fact that there is no labour policy of this Ministry. I do not want to deal with the matter; the Hon'ble Minister in charge of the Department will deal with it when this subject will come up for discussion under the appropriate head.

I shall now deal with the points raised by Mrs. Nellie Sen Gupta. She has referred to the scarcity in Chittagong district which she has the honour to represent. So far as Chittagong relief is concerned, I would deal with this matter now. (Mr. MD. HABIBULLAH CHAUDHURY: What about Noakhali relief?) Mr. Fazlul Quadir and other members have also referred to Chittagong and I want to tell them what steps we have taken so far and what we propose to do. As to measures so far taken the immediate action on the part of the district authorities was the mobilisation of all staff, irrespective of departmental duties, for relief operations. Assistance from the Military was called in and supplies were conveyed to the affected areas by air. The total supplies delivered by land, air and water up to 19th July, 1946, have been—

Rice ..	.. 16,977 mds.
Chira, Muri and Khai	.. 226 mds.
Biscuits ..	.. 85 mds.
Bleaching powder	.. 32 drums.

Dakotas alone up to 21st July, 1946, dropped 4,012,900 lbs. of supplies which includes 2 lakhs mepacrine tablets, 15 lakhs water sterilising tablets, 800 lbs. of bleaching powder and large quantities of vitamin tablets, food-stuff making up the balance of the load.

Rice is being sold or given free at the rate of 2½ seers per week per adult and 1¼ seers per week per minor. Government have already sanctioned Rs. 2 lakhs for gratuitous relief and contingencies.

A large number of philanthropic and other bodies who volunteered their aid were welcomed and assigned specific duties in definite zones. For the moment most are engaged on medical work.

The area affected has been split up in eleven-thana charges and each of them has been placed under one officer of the status of Sub-Deputy Collector or Debt Settlement Officer. These 11 charges have been so far divided into 54 sub-charges each under a subordinate officer. Sub-charges have been divided into wards though their exact number cannot be stated now.

So far as Public Health Directorate is concerned steps that we have taken are 10 sanitary units, and 19 mobile units have been deputed and are already at work in the district. Twelve additional mobile units have been ordered to proceed to Chittagong from neighbouring districts. One Malariologist with six assistant epidemiologists has been deputed. Sanction has been accorded for local appointment of one doctor and 20 health assistants. Then assistant sanitary inspectors have been despatched——.

Mr. FAZLUL QUADIR: What about veterinary?

The Hon'ble Mr. MOHAMMED ALI: So far as the Department of Agriculture is concerned, the Relief Department will meet the cost of up to one lakh maunds of paddy seed for free distribution to persons whose crops have been destroyed or damaged by flood and who are judged not to be able to afford purchasing such supplies. The Director of Agriculture has already begun the procurement of seeds (25,000 maunds are already available in Dacca; 2,000 maunds in Rajshahi) which will be distributed through District Agricultural Officers under the control of the District Magistrate.

Fertilisers will also be despatched for distribution in the area.

In respect of replacement of cattle details of actual loss and types of animals required are awaited. Thirty-seven veterinary assistants have been posted to the area for general inoculation of livestock. I hope that will satisfy my friend, Mr. Fazlul Quadir.

Fifty-two thousand maunds of rice were already available with the District Controller for distribution. A further allotment of 45,000 maunds was made from the stocks of Assam rice lying on the jetties. In addition to the above, attempts are to be made to provide broken rice for the establishment of cheap grain shops. Relief Department permits of the use of standard quality rice for such establishments in brokens are not available. These shops will retail at Rs. 5 or Rs. 7-8 according to the Collector's estimate of the purchasing power of the recipients.

So far as the distribution of cloths to which Mrs. Sen Gupta drew our attention is concerned, 11,200 pieces of *sarees*, 7,120 pieces of *dhotis*, 20,000 pieces of children's garments, 2,893 pieces of *kurtas*, 14,742 pieces of blankets, 1,20,000 multi-vitamin tablets, 1,861 pieces of mats, 40 maunds of jute twine, 10,150 pounds of barley and ten tons of milk powder have been despatched. Of the milk powder, five tons are already available in the district. I hope the House will realise that we are making all arrangements to give relief to the distressed people in Chittagong. If, however, it is found that these measures are not adequate, we assure the House that we shall take every step to give relief to the suffering public in Chittagong and other flood-stricken areas. There shall not be any scarcity of money available for the purpose. This, I hope, will satisfy Mrs. Nellie Sen Gupta and others.

Then comes Mr. Amulya Chandra Adhikary. His points have been covered by replies given to other members. He has referred to *ad hoc* increment in the scales of pay of low-paid employees. I would like to tell

him that a Pay Commission is examining the question of wholesale revision of the pay of Government servants. It is expected that the report of the Pay Commission will be available towards the end of the current financial year but I take it that Government have already announced that retrospective effect will be given to the recommendations from 1st January next.

(At this stage the blue light was on)—May I have another 30 minutes, Sir?

Mr. SPEAKER: You cannot go beyond 12-30 p.m. when I will adjourn the House.

The Hon'ble Mr. MOHAMMED ALI: Mr. Shamsuddin Ahmed Khondkar has said that three-fourths of the development work is being devoted to the proejcts for West Bengal. I would like to tell him that so far as this allegation is concerned, it is not correct. He will realise that this is only an interim plan of development for this year. Necessary arrangement will be made when we take up other projects and then he will be satisfied that every district in the province will be equally benefited. In this connection I want to make two observations. The current year's provision only represents the initial stage. Even if there is lack of uniformity in distribution at the initial stage, it will be finally ironed out. The House need not entertain any apprehension that the claim of any part of the province will receive less attention than it deserves. The second point is that distribution of development projects, district by district, is under compilation and as soon as they are ready the House will have an opportunity of judging for itself how the provision affects each district in the province. I am sure Mr. Khondkar will see then that the needs of East Bengal which contributes substantially to the economic life of the province will be kept in the forefront.

Mr. Ganen Bhattacharjee has said that although scarcity of food was anticipated, Government did not take any steps. You will realise that some time ago I referred to the criticisms of Mr. Kundu that godowns had been constructed and were lying empty. That will go to show that all precautionary steps have been taken and are being taken to meet any situation that might arise. So he need not entertain any apprehension on this score.

Sir, Mr. Miles has referred to the question of imposing the Sales Tax at manufacturer and importer stage and he also referred to the leakage and evasion of the commercial tax. I would like to tell him that we are taking all steps to see that there is a check to evasion. I agree with him that there is considerable leakage in our revenues from this source and there are all sorts of tactics which are adopted by shop-keepers to evade payment of taxes and we are trying to take all steps to see that there is no leakage or evasion of tax. I am sure that Mr. Miles and other members of this House do not expect me to disclose to the House what steps we will take because this is a confidential matter which, if disclosed, will frustrate the very object we have in view. But I can tell the House that a proper machinery is being set up. So far as imposition of this tax at the manufacturer and importer's stage is concerned we cannot under the constitution lavy a tax like that because a tax on manufacturers will be an excise duty. As regards a tax on import it will be a duty leviable by the Centre. As such, there are lots of difficulties in the way of imposing at the stage of the manufacturer or at the stage of the importer, for they might both go beyond the provincial sphere. I am grateful to Mr. Miles for the various suggestions he has made for augmenting our revenues. I have already indicated in my statement that we are considering proposals so as to augment our revenues but whatever tax proposals we will bring in will not affect the poor. We have no intention of taxing the poor. Rather we want to tax the rich for the benefit of the poor and every Government worth its salt must tax the rich for the benefit of the poor. There was one suggestion by Mr. Gladding that we should revise the rates of the Commercial Tax so as to increase the rates for luxury articles. I can tell him that that matter is also receiving our most earnest consideration.

Another criticism is that our departmental projects have no plan at all but they are rather a collection of departmental projects. Necessarily they must be departmental projects, first because I cannot understand how a comprehensive plan can be drawn up without any initiation being taken in the first instance by the respective departments concerned. The Agriculture Department must draw up a plan for the Agriculture Department. The Public Health Department must accept responsibility for the formulation of schemes for the improvement of public health. In this sense the Provincial plan cannot but be a collection of departmental schemes, but our object must be, as I have already stated, that these plans must fit in with the whole development project of the province, the schemes must dovetail into one another and it is our lookout to see that this is done.

(At this stage the red light was lit.)

Sir, I find that I am time-barred, I cannot reply. I had given indication that I would require more than an hour, but I am sorry that time has not been allotted to me. My idea was to reply to all the points, but if they are raised again during the voting of demands, I am sure I shall be able to give satisfactory replies to all members of the House.

Adjournment.

The House was then adjourned at 12-32 p.m. till 10-30 a.m. on Saturday, the 3rd August, 1946, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Saturday, the 3rd August, 1946, at 10-30 a.m.

Present:

Mr. Speaker (the Hon'ble Mr. NURUL AMIN) in the Chair, 6 Hon'ble Ministers and 219 Members.

STARRED QUESTION

(to which oral answer was given)

Enquiry into August disturbances in 1942.

*9. **Mr. BIMAL CHANDRA SINHA:** Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) whether the Government are aware of the reports published by various Congress Committees in Bengal about the excesses committed by the Police and the Military in quelling the disturbances which started in August, 1942;

(*b*) whether the Government are considering the desirability of holding a public enquiry into the conduct of the officers concerned where such excesses are alleged to have been committed;

(*c*) whether the Government have any intention of returning the collective fines realised from the disturbed areas; and

(*d*) if not, why not?

Mr. HAMIDUDDIN AHMED (on behalf of the Hon'ble Mr. H. S. Suhrawardy): (*a*) Yes.

(*b*) and (*c*) No.

(*d*) Government consider that such action would be unjustifiable.

Mr. BIMAL CHANDRA SINHA: Will the Hon'ble Minister be pleased to state with reference to his answer (*a*) whether he considers the excesses to be justifiable?

Mr. HAMIDUDDIN AHMED: All the excesses may not be justifiable.

Mr. BIMAL CHANDRA SINHA: Will the Hon'ble Minister be pleased to state if it is a fact that some of the excesses are justifiable in his opinion?

Mr. HAMIDUDDIN AHMED: I draw the attention of the honourable member to the press-note issued by Government at the time. I have nothing further to add.

Mr. BIMAL CHANDRA SINHA: Will the Hon'ble Minister be pleased to supply a copy of the press-note to the members.

Mr. HAMIDUDDIN AHMED: It is available everywhere.

Mr. SATISH CHANDRA BOSE: Will the Hon'ble Minister be pleased to state whether any excesses on the part of the police and military are justifiable?

Mr. HAMIDUDDIN AHMED: No. If there is any excess it cannot be justified.

Dr. PROTAP CHANDRA GUHA ROY: Why does the Hon'ble Minister not consider it necessary to hold an enquiry into the excesses in the interest of the public to whom they are responsible?

Mr. HAMIDUDDIN AHMED: No. Government do not think it justifiable to hold an enquiry at this stage.

Mr. HARIPADA CHATTERJEE: With reference to answer (*c*) is the Hon'ble Minister aware that after the burning of houses in Muragachha in Nadia, collective fines were realized from far off villages, the inhabitants of which had nothing to do with burning?

Mr. HAMIDUDDIN AHMED: I want notice.

Mr. BIMAL COMAR GHOSE: With reference to answers (*b*) and (*c*), will the Hon'ble Minister be pleased to state the reasons for not holding an enquiry into the matter?

Mr. HAMIDUDDIN AHMED: Government think that the refund of the entire collective fines will defeat the purpose for which they were imposed.

Mr. BIMAL CHANDRA SINHA: The question has not been answered with regard to answers (*b*) and (*c*).

Mr. HAMIDUDDIN AHMED: I have nothing further to add.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state what were the purposes for which these collective fines were levied, and why they are not returned?

Mr. HAMIDUDDIN AHMED: The collective fines were imposed under the authority of the Provincial Government when Mr. Fazlul Huq was in power, and we think that the Government of that time with the support of the Congress considered it justifiable to impose the fines. (Cries of "No," "no," from the Opposition benches.) And as that Ministry was functioning with the support of the Congress, it can only be presumed that the collective fines were imposed with the clear understanding and support of the Legislature of that time. Government is of opinion that a wholesale refund of the collective fines will defeat the purpose for which they were imposed.

Dr. PROTAP CHANDRA GUHA ROY: Is the Hon'ble Minister aware that in United Provinces and in other Congress provinces, collective fines are being refunded?

Mr. HAMIDUDDIN AHMED: The position in those provinces is not the same as in Bengal.

Dr. PROTAP CHANDRA GUHA ROY: Will the Hon'ble Minister be pleased to state what is the difference?

Mr. HAMIDUDDIN AHMED: In those provinces where the Congress is in power, the Congress leaders were eulogizing those who took part in the excesses and holding them out as patriots, while the Government of this province holds a different view of their action, and here comes the difference.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state whether in view of the admission that there was in certain cases police excess does he consider the desirability of returning collective fines in such cases?

Mr. HAMIDUDDIN AHMED: Yes, in some cases more than 50 per cent. of the collective fines have already been refunded.

Mr. SHAMSUDDIN AHMED KHONDKAR: Will the Hon'ble Minister be pleased to state whether he is aware that a demand for enquiry into the

police excesses was made in the province of Bihar and it was turned down by *the Government?*

Mr. HAMIDUDDIN AHMED: Yes.

Mr. SHAMSUDDIN AHMED KHONDKAR: Is the Hon'ble Minister aware that the reasons for turning down the demand for enquiry in the province of Bihar are the same as they are here?

Mr. HAMIDUDDIN AHMED: Yes.

Mr. JYOTI BASU: Will the Hon'ble Minister be pleased to state whether Government is afraid to hold an enquiry into the police excesses?

Mr. HAMIDUDDIN AHMED: Certainly not.

Mr. HARIPADA CHATTERJEE: Will the Hon'ble Minister be pleased to state the reasons for not returning collective fines realized from innocent persons?

Mr. HAMIDUDDIN AHMED: I have already stated that in certain cases fines have been refunded on individual merit.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state on what basis 50 per cent. of the collective fines were returned and why not the whole fine?

Mr. HAMIDUDDIN AHMED: The whole amount of fine collected in the district of Midnapore was refunded because of the economic distress prevailing in that district. In other places, refund has been made on individual merit.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state whether in view of the admission that there have been police excesses and collective fines returned, do the Government consider the desirability of holding an enquiry into those excesses?

Mr. HAMIDUDDIN AHMED: Government do not desire to hold an enquiry.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state the reason therefor?

Mr. HAMIDUDDIN AHMED: Because it will serve no useful purpose and it will only embitter the feeling.

Mr. KANAI LAL DE: মাননীয় মন্ত্রী মহাশয় দয়া করে বলবেন কি যে এই Police excess সম্বন্ধে বিহার, যুক্তপ্রদেশ এবং অন্যান্য প্রদেশে enquiry committee হয়েছে কিনা?

Mr. HAMIDUDDIN AHMED: I am not aware.

Mr. KANAI LAL DE: মাননীয় মন্ত্রী মহাশয় দয়া করে বলবেন কি যে এই সমস্ত প্রদেশে collective fines ফেরৎ দেওয়া হচ্ছে কিনা?

Mr. HAMIDUDDIN AHMED: I have already answered that question.

Mr. MIHIR LAL CHATTOPADHYAYA: Will the Hon'ble Minister be pleased to state whether any refund has been made in the district of Birbhum?

Mr. HAMIDUDDIN AHMED: I want notice.

GOVERNMENT BILL.

The Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946.

The Hon'ble Mr. MOHAMMED ALI: Sir, I beg to introduce the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946.

(Secretary then read the short title of the Bill.)

Sir, I beg to move that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, be taken into consideration.

Sir, the object of the Bill is to raise additional revenue by enhancing the rate of tax leviable under the Bengal Motor Spirit Sales Taxation Act, 1941, as amended up-to-date, from 3 annas to 8½ annas per gallon. In moving my motion I can anticipate objections based on a comparison of the rates of this tax prevailing in other provinces. It may be argued that as in no other province the Motor Spirit Sales Tax exceeds 2 annas per gallon, it should not be raised to the high figure of 8½ annas per gallon in this province.

Sir, my answer to this is simple. The House is already aware of the enormous gap between revenue and expenditure in the current year's budget. No other province is in the unhappy predicament in which Bengal finds itself today through the pressure of circumstances over which we have no control. We must exert ourselves to the utmost in the matter of self-help in order to justify and strengthen our claim to financial assistance from outside. Such avenues of taxation as are open to us must be exploited to the full. It is necessary at the same time to ensure that only such measures are adopted for the augmentation of revenue as will place the burden on shoulders best able to support it and affect the poor as little as possible. It may be argued that it may have an indirect effect of putting some burden on the poor by consequentially enhancing the bus and taxi hire and by increasing the freight charges. To this I would say that bus and taxi hires have been adjusted to the 2-rupee level price of petrol. Therefore the present increased tax will only absorb the fall in the dealer's price. If we raise the tax to 8½ annas, that is to say, the level prevailing in July, last year, there will be no consequential increase in the bus and taxi fare and thus the burden of this taxation will not fall on the poor people. Judged by this principle the selection of the Motor Spirit Sales Tax for an enhancement of the rate of levy is not open to any criticism or objection.

It may be said that even if an increase in rate were justifiable, such a large increase would cause hardship. Sir, as already pointed out in the Statement of Objects and Reasons, the present measure does no more than absorb the fall in the dealer's price of petrol which has taken place in recent months. On the 1st of July, 1945, the consumer was paying an all-inclusive price of Rs. 2 per gallon in Bengal. Out of this amount Re. 1-13 was the dealer's price and 3 annas was the tax. To-day the dealer's price has come down to Re. 1-7-6 but the tax continues to be 3 annas per gallon. Thus the all-inclusive price today is Re. 1-10-6. The only effect of the present measure will be to put back the all-inclusive price of petrol in Bengal to Rs. 2 per gallon, i.e., to the level of 1st July, 1945. So it will be seen that Government are asking the consumer to pay no more than what he was actually paying on 1st July, 1945.

Sir, a word about the probable yield. Last year due to heavy military consumption, we had a revenue of 163 lakhs from this source. The heavy military consumption has ceased and according to present consumption trends we can expect no more than Rs. 40 lakhs during the current year at the current rate of taxation. If the House approves of the rate I am now proposing, and the present Bill is enacted, the total yield of this tax will not exceed 1 crore and 15 lakhs. Even then our receipts from this head during the current year will fall short of the last year's receipts by as much as 48 lakhs.

Sir, I am quite sure that the honourable members will appreciate the position and support the measure.

With these words, Sir, I commend my motion for acceptance by the House.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, Mr. Nikunja Behari Maiti in whose name the motion stands is absent up till now. May I have your permission to move the motion that stands in his name?

Mr. SPEAKER: Yes.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, be circulated for the purpose of eliciting opinion thereon by the 31st December, 1946.

Sir, in moving this motion I shall speak a few words on behalf of the party to which I have the honour to belong. No taxation measure can be supported in view of the fact that Government is not attempting to economise and to avoid wastage of money that is going on for some time past. This Government is responsible for criminal waste of public money and unless they take steps to avoid this waste and to remove corruption and bribery, we cannot entrust this Government with any money. This is the principal reason why we are opposed to the taxation of motor spirit sales.

Moreover, there are other reasons for our opposing this Bill. It has been said by the Hon'ble Minister in charge of this Bill that it will not tax the poor people. I am afraid I must say that it will tax poor people in this way. During the period of war the motor service was practically stopped. Now that the war is over the motor service must begin and if this tax be imposed, it will affect the motor service. It has been said that if this tax be imposed, the price of motor spirit will not be higher than what it was before and during the war. What was the price before the war? From experience we can say that during the war all the motor services were stopped. Now if this tax is imposed, the condition of motor service will be jeopardised. Sir, it has been said by the Hon'ble Minister in charge of this motion that it will not affect the poor people. I shall put one question to the Hon'ble Minister as to why he has not abolished control regarding motor spirit now that war has come to an end? After the cessation of war, expenditure on all heads must decrease. Tax was realised by Government on account of war and now with the cessation of hostilities expenditure of the Civil Supplies Department must cease to exist. Crores of rupees are spent only by this department. Control over motor spirit must be decontrolled and motor service must be resumed because this service is doing immense good to the people of this province. If motor spirit is taxed in this way, then it will affect the motor service and, as I have already said, Government will be responsible for criminal waste of public money. For these two reasons, Sir, this Government cannot be entrusted with any public money.

I would like to say another thing. I am told by one of my friends that in Midnapore motor service has not been resumed on account of the fact that the sale of motor cars has not been decontrolled. I emphasize that control over the sale of motor cars should be abolished immediately and the system of decontrol should be introduced thereby increasing the revenue of the province. Instead of imposing fresh taxes, you should introduce the system of abolition of control. This will increase the revenue and there will be no necessity for enhancing the tax which will ultimately have to be borne by the poor people.

For these three reasons, Sir, I oppose the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946.

Mr. NIKUNJA BEHARY MAITI: Mr. Speaker, আমি এ সম্বন্ধে কিছু বলতে চাই।

Mr. SPEAKER: No. You will have your chance later on. Let the amendments be moved first.

Mr. PRAMATHA NATH BANDOPADHAYA: Sir, I beg to move that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, be circulated for the purpose of eliciting opinion thereon by the 31st August, 1946.

Mr. Speaker, Sir, আমার এই বিলের সম্বন্ধে আপত্তি করবার কারণ এই যে, যদিও motor spirit ধনিকদের দ্বারা আগে অধিক ব্যবহৃত হ'ত কিন্তু আজ দরিদ্রদের দ্বারা বেশী ব্যবহৃত হয়। Motor bus service বেড়ে গেছে এবং আজকাল অনেক জায়গায় মালপত্র মোটর ট্রাকে করে নিয়ে যাওয়া হয়। কাজেই motor spiritএর যদি দাম বাড়ে, তাহ'লে এই সমস্ত bus serviceএর ভাড়া বেড়ে যাবে, এবং তারজন্য দরিদ্ররা বেশী ক্ষতিগ্রস্ত হবে। আমার আর একটি আপত্তির কারণ এই যে tax বাড়ান হ'ল, এই tax বাড়াবার সময় যারা motor spirit dealer বড় বড় কোম্পানী যেমন Burma Shell, Standard Vacuum ইত্যাদি এদের সঙ্গে consult করা উচিত ছিল—Tax বাড়লে motor spiritএর দাম বাড়লে—তাদের কি সুবিধা-অসুবিধা আছে, এবং দেশের লোকেরই বা কি অসুবিধা আছে। এর চেয়েও আপত্তির কারণ হচ্ছে এই tax যদি বাড়ান হয়, কেবল বাংলা দেশে, এবং উড়িষ্যা ও বিহারে যদি না বাড়ান হয়, তাহ'লে বিহার ও উড়িষ্যার সঙ্গে বাংলার যে সংযোগ আছে সেদিক দিয়ে motor spirit illegal ভাবে বাংলায় চলে আসবে। বে-আইনিভাবে যদি ভিন্ন প্রদেশ থেকে এদেশে আসে, তাতে ফল হবে যে Revenue আমাদের অর্থসচিব মহাশয় আশা করছেন—সেই Revenue বহু পরিমাণে কম হয়ে যাবে। ফল হবে এই black market ও ঘুষ যা চলছে সেই দুর্নীতিকে আরও বেশী প্রশ্রয় দেওয়া হবে। আজ যদি উড়িষ্যা ও বিহারে একই সমান tax level থাকত, তাহ'লে এ আপত্তির কোন কারণ আসত না। আপনারা জানেন এখনও যে আমাদের দেশে motor spirit সম্বন্ধে বিধি নিষেধ আছে সেটা দু এক মাসের মধ্যে উঠে যাবে। তখন যে কোন প্রদেশ থেকে motor spirit যথেষ্ট পরিমাণে আনবার অসুবিধা থাকবে না। তাতে বহু পরিমাণ যে Revenue আশা করছেন অর্থসচিব মহাশয়—সেটা নষ্ট হবে। এ সম্বন্ধে অর্থসচিবের দৃষ্টিপাত করা উচিত। এই Revenue বাড়িয়ে বাংলার দরিদ্রদের উপর কেবল অত্যাচার হবে এবং তাদেরই ঐ tax এর বোঝা বেশী করে বইতে হবে। সুতরাং tax না বাড়িয়ে যাতে অন্যান্য খরচ কমান হয় তার ব্যবস্থা করা দরকার। আমাদের দেশে আর অধিক tax বাড়িয়ে দেশের লোককে উত্যক্ত করবার কোন কারণ নাই।

Mr. NIKUNJA BEHARI MAITI: Mr Speaker, Sir, আমি এই measure কে বাধা দিতে চাই এবং এসম্বন্ধে জনসাধারণের মত নিতে চাই—এই জন্য যে এটা একটি wellknown principle—সেই principle হচ্ছে এই: there must be demand before supply কোন কিছু টাকা বরাদ্দ করতে হলে সে সম্বন্ধে জনসাধারণের যে grievances আছে সেটা removed না হওয়া পর্যন্ত, assurance না পাওয়া পর্যন্ত supply সম্বন্ধে legislature এর সাবধান হওয়া উচিত। এখন এই petrol tax সম্বন্ধে বিশেষ করে—petrol যে কাজের জন্য ব্যবহৃত হয়—তার সঙ্গে জনসাধারণের যোগ রয়েছে। যেমন– বাসে চলবার সময়, ট্যাক্সিতে চলবার সময়, মোটরে চলবার সময়—দেখা গেছে বাংলা দেশের জনসাধারণের দারুণ অসুবিধার সৃষ্টি হয়। গত কয়েক বছর ধরে war থেকে আরম্ভ করে এবং তারপরে যখন বাসে চাপবার দরকার হয়, taxi hire এর দরকার হয় এবং private motor car কিনবার আবশ্যক হয়—তখন কত রকম বাধা উপস্থিত হয় তা বলতে পারব না। বাসেও যখন জনসাধারণ যায় তখন তারা কি অবস্থায় যায়, যাঁরা Secretariat এ থাকেন, যাঁরা বেশী মাইনার চাকরী করেন তাঁরা বুঝতে পারেন না। কিন্তু আমার আশা আছে আমাদের মন্ত্রীমণ্ডলীর কোন কোন সদস্য কিংবা আমাদের আইন সভার কোন কোন মেম্বার এটা বুঝতে পারবেন যে কি দারুণ অসুবিধা হয়। আমরা petrol এর উপর tax বৃদ্ধির পূর্বে এই অবস্থা জানাতে চাই যাতে বাসের সংখ্যা বৃদ্ধি হয়, যাতে যাওয়ার সময় পথচারী এবং সাধারণ লোকের অসুবিধা সৃষ্টি না হয়, যাতে বিনা আয়াসে, অল্প আয়াসে গাড়ী কিনতে পারা যায়— যাতে সেই সমস্ত অসুবিধার ভেতর দিয়ে যেতেও না হয় এবং যাতে করে সর্বাপেক্ষা বেশী অসুবিধা পথে ঘাটে গাড়ী-ওয়ালাদের দৌরাত্ম্যে আমাদের প্রাণ প্রায় খাঁচা ছেড়ে যাবার উপক্রম হচ্ছে— এই অবস্থা যাতে না হয়। আমাদের প্রাণ ত ছেড়ে গেছেই—কত লোক মারা গেছে এ আমাদের জানা রয়েছে। এমন দিন যায়নি কিছুকাল পূর্বে যখন ২।৪ জন, ৮ জন, যারা taxi হাঁকায়, যারা মিলিটারী সার্ভিসের গাড়ী চালায় তাদের দৌরাত্ম্যে প্রাণ হারায় নাই। আমি জানতে চাই আমাদের গভর্ণমেণ্ট এ সম্বন্ধে কি করেছেন? আমি আমাদের Government মানে যাঁরা এখন বসে রয়েছে Treasury Benchএ তাদের mean করছি। বাংলায় তাঁদের departmentএর underএ যারা কাজ করে, তারা কি করছে; তার জবাব যেন পাই। বাসের ঔদাসিন্যের ফলে public এর প্রাণ যাচ্ছে

তাদের কেন ফাঁসীকাঠে ঝুলিয়ে দেবার ব্যবস্থা করা হয় না? কেন একজন গাড়ী চালক একজন দরিদ্র বিধবা কিংবা বৃদ্ধা স্ত্রীলোকের উপর দিয়ে গাড়ী চালিয়ে চলে যায়? কেন একজন গাড়ী চালক স্ত্রী-পুত্রের উপর দিয়ে—স্ত্রী, কন্যার উপর দিয়ে গাড়ী চালিয়ে যায়? কি অধিকার রয়েছে? কেন তারা এত অল্প——

The Hon'ble Mr. MOHAMMED ALI: On a point of order, Sir. Is it relevant, Sir, to raise the question of motor accidents in the streets on the motion for the circulation of the Bill for eliciting opinion thereon? If he is allowed to deal with them, certainly he will get a reply from me, but I submit that it is not relevant to raise that question on the circulation motion now before the House.

Mr. NIKUNJA BEHARI MAITI: Mr. Speaker, Sir, আমি বলছি demand before supply. এটা হচ্ছে taxation measure. এটা পাস করবার পূর্ব্বে আমাদের যে সমস্ত অসুবিধা আছে, যে সমস্ত বাধার সম্মুখীন দৈনিক আমাদের হতে হয়, সেই সমস্ত বাধার কথা আমাদের গভর্ণমেণ্টের কাণে আমাদের আনা উচিত। আমি আশাকরি এসম্বন্ধে ভোট নেবার পূর্ব্বে জনসাধারণের মত নিতে হবে এবং সঙ্গে সঙ্গে আমাদের এই সমস্ত grievances দূর করবার জন্য তাঁরা কি বলেন আমি জানতে চাই। কাজেই এখন এ জিনিষের relevance রয়েছে। কাজেই আমি বলছি—গাড়ী যাদের নেই—জনসাধারণ যাদের নিজেদের motor car নেই তাদের পক্ষে যে অসুবিধা হচ্ছে তাঁরা যেন তা দূর করেন। আজকে যে জনপ্রিয় মন্ত্রীত্ব হয়েছে—তারা যদি এটা না করেন তাহলে কে করবে? আর যদি Congress Treasury Bench এ থাকত তাহ'লে ঠিক ঐ একই কথা তাদের বলতাম। কাজেই আজকে সেই আসনে যাঁরা অধিষ্ঠিত রয়েছেন তাঁদের কাছে এখন আমরা দাবী করছি—আপনারা কি করবেন? আপনাদের policy ও plan আমাদের কাছে স্থাপন করুন, তাহলে এই taxation measure আমরা support করব।

আমার বন্ধু বলেছেন টাকা না থাকলে গভর্ণমেণ্ট চলবে কি করে? ঠিক, তাদের টাকার দরকার—কিন্তু তাদের টাকা পাওয়ার যোগ্যতা থাকা দরকার। সেই যোগ্যতা অর্জ্জন করবেন কি করে? সেই যোগ্যতা অর্জ্জন করবেন জনসাধারণের সুবিধা করে। সেই জনসাধারণের সুবিধা করবার জন্য বাসের সংখ্যা যাতে বৃদ্ধি হয়—তার চেষ্টা করতে হবে। যাতে petrol control উঠে যায় তার জন্য চেষ্টা করতে হবে। যাতে অধিকতর সংখ্যায় motor কিংবা বাস আমদানী হয়—তার চেষ্টা করতে হবে। যাতে করে এই দেশেতে বাস এবং মোটর তৈরী হতে পারে তার ব্যবস্থা করতে হবে। তার জন্য যদি India Government কে লেখালেখি করা দরকার—হয় তা করতে হবে। এই সমস্ত অসুবিধা যদি তাঁরা দূর করেন এবং control উঠিয়ে দেন, তাহ'লে আমাদের public opinion এ সম্বন্ধে রাজী আছে।

Mr. PRAVAS CHANDRA LAHIRI: Mr Speaker, Sir, মাননীয় মন্ত্রী মহাশয় বলেছেন যে, এই taxation এ দরিদ্র জনসাধারণের কোন ক্ষতি হবে না। কিন্তু এটা সত্যি কথা নয়। বর্ত্তমান জগৎ বিজ্ঞানের উপর ভিত্তিকরে চলছে এবং এই জগৎ এগিয়ে চলেছে—progress করছে। আর এই motor spirit আজকে এই progress এর পক্ষে বিশেষ প্রয়োজনীয়। এখানে motor spirit কে এই বলে সীমাবদ্ধ করা চলে না যে, এ শুধু ধনীদের ব্যবহারের জন্য। আজ সমস্ত জগৎ এই motor spirit এ চলছে এবং যদি কোন দেশকে progress করতে হয়, উন্নতি করতে হয় তাহ'লে motor spirit বাদ দিয়ে চলে না। সুতরাং এই motor spirit এর উপর taxation এ গরীবরা affected হবে এই কারণে আমি taxation এর বিরোধী। এবং এই taxation হওয়া উচিত নয়—এই কথা মনে করি। কারণ আমাদের দেশের এখন উন্নতি করার বিশেষ প্রয়োজন। আমাদের দেশ বহু পিছনে পড়ে আছে। এই দেশকে উন্নত করতে গেলে motor spirit consumption আরও অনেক বাড়ান দরকার। এবং তা বাড়াতে গেলে, তার উপর যদি taxation হয় তাহ'লে এই consumption বাড়বে না। Motor Spirit consumption যে পরিমাণে বাড়ান উচিত তা বাড়বে না। ফলে দেশ progress করতে পারবে না—উন্নতির দিকে এগিয়ে যেতে পারবে না। এই জন্য আমি taxation এর বিরোধী এবং এই taxation যাতে না হয় সেজন্য আমি মন্ত্রী মহোদয়কে অনুরোধ করব যে এই taxation যেন তিনি না করেন।

Mr. SATISH CHANDRA BOSE: Mr. Speaker, Sir, taxing statutes are seldom welcome. Cogent reasons must be given for making taxing statutes acceptable to the public. Black-marketing has been flourishing under the very nose of the Government, but black-marketing brings no revenue to the Government. Does the Government desire that black-marketing should flourish?

Sir, there is a demand for additional transport, double the number of transport, to cope with the huge passenger traffic from the suburbs of Calcutta. Many people desire to go in for motor buses and motor transports but they will be scared away by reason of the additional taxation sought to be imposed.

Sir, my submission would be this: Drop this Bill. In any case, let it be circulated for eliciting public opinion. The policy of control should be abolished so that ordinary persons who desire to go in for motor buses and motor cars may purchase them in order to cope with the huge passenger traffic. This is my submission.

Mr. SURESH CHANDRA DAS GUPTA : Mr. Speaker, Sir, আজ Motor spirit এর Tax বাড়াবার যে বিল অর্থসচিব মহাশয় এনেছেন সেই প্রসঙ্গে তিনি এই কথা বলেছেন যে, Motor spirit এর দাম যখন কমে গিয়েছে, তখন সেই Motor spirit এর Tax বাড়ালে সেই পুরাণ দাম বাড়ান হবে না। অর্থসচিবের বাড়ী যে জেলায় আমি তাঁকে স্মরণ করিয়ে দিচ্ছি--বগুড়া সহর থেকে শেরপুর যেতে আগে যখন Motor spiritএর Tax ও দাম বেশী ছিল না--তখন চার আনা পয়সা দিয়ে আমরা বার মাইল যেতে পারতাম। যখন Motor spirit এর দাম বাড়ান হ'ল--তখন সেখানে ভাড়া বেড়ে হ'ল এক টাকা। আমরা আশা করেছিলাম যদি Motor spiritএর দাম কমে যায়--তাহ'লে আমরা সর্ব্বসাধারণ আবার চার আনা পয়সা ব্যয় করে বগুড়া থেকে শেরপুর যেতে পারব, কিন্তু তিনি তাঁর দেশের অবস্থা জেনে শুনেও বলছেন যে, Motor spirit এর Tax বাড়িয়ে দিলে কোন ক্ষতি হবে না। আমরা যদি কম পয়সায় বাসে চলতে পারি তাতে মন্ত্রী মহাশয়ের আপশোষ কোথায়? যুদ্ধের পরে যখন সকল জিনিষের দাম কমে যাবে বলে আশা করেছিলাম তখন অর্থসচিব সেই আশা থেকে আমাদিগকে বঞ্চিত করে এই Tax করছেন কেন? এইজন্য আমরা মনে করি--এই Tax হওয়া উচিত নয়। এবং এ সম্বন্ধে সাধারণের মতামত নেওয়া কর্ত্তব্য। দ্বিতীয় কথা, কোন কোন সভ্য বলেছেন যে, Motor spirit de-control হবার পূর্ব্বে Tax বাড়ান উচিত নয় আজ "ভারত" কাগজের সম্পাদকীয় স্তম্ভে বেরিয়েছে এই ক'লকাতা সহরে বাসে চড়বার আশঙ্কার কথা। তার কারণ দিন দিন চলতি বাসের সংখ্যা কমে গিয়েছে। সরকার বাহাদুর সেদিকে দৃষ্টি তেমন করছেন না। বাসে যতগুলি permit ও যে পরিমাণ Motor spirit পায় তা যদি তারা ব্যয় না করে তারা যদি সেটা Black marketএ বিক্রী করে তাহ'লে প্রত্যেক দিন তারা ৪০৲ টাকা থেকে ৫০৲ টাকা পর্য্যন্ত লাভ করতে পারে Motor না চালিয়ে। মোটর না চালিয়ে এই যে চলছে Black marketing তাতে প্রাণ আমাদের হাতের তলায় এসে পৌঁছেচে। বাসে চলতে গেলে প্রাণ নষ্ট হবার আশঙ্কা সব সময় রয়েছে। তিনি এই Black marketing দূর করবার জন্য কি চেষ্টা করেছেন তা আমাদের জানা দরকার। আজ "ভারতে" যে কথা বেরিয়েছে মন্ত্রী মহাশয়কে তা স্মরণ করিয়ে দিচ্ছি তিনি যেন অনুগ্রহ করে সে সম্বন্ধে অনুসন্ধান করেন। এই কথা আলোচনা করতে গেলে কিছুদিন পর্য্যন্ত public opinion নেবার জন্য বিলটি স্থগিত রাখা উচিৎ। সমস্ত লোকের অভাব অভিযোগ ও দুঃখ কষ্টের কথা শুনবার পর, মন্ত্রী মহাশয় যদি Tax করতে চান তাহলে সমস্ত বিষয় জেনে শুনে করবেন, অজ্ঞানভাবে করবেন না।

Mr. KANAI LAL DE : মন্ত্রী মহাশয় যে এই বিলে কিছু tax ধার্য্য করবার ব্যবস্থা করেছেন, আমি সেই বিল জনমত সংগ্রহের জন্য প্রচারের পক্ষপাতী। মন্ত্রী মহাশয় এবং আমরা সকলে জনসাধারণের নির্ব্বাচিত প্রতিনিধি হয়ে এখানে এসেছি। মন্ত্রী মহাশয়ের কাছে অনুরোধ যাদের ভোটের জোরে তিনি মন্ত্রীত্বের গদিতে এসে বসেছেন--এই tax বসাবার পূর্ব্বে সেই জনসাধারণের মতামত নেওয়া তাঁর উচিত। পল্লীগ্রামে যে সমস্ত জায়গায় যাতায়াতের অসুবিধা হ'চ্ছে--যে সমস্ত জায়গায় রেল লাইনের সাথে কোন যোগাযোগ নাই--সেখানে motor busই যাতায়াতের একমাত্র উপায়--আজকের দিনে জীবনযাত্রা যখন এমন কঠিন হয়ে পড়েছে, তখন সহর থেকে বিভিন্ন জায়গায় যাতায়াতে তাদেরও যাতে কোন অসুবিধা না হয় সেদিকে দৃষ্টি দেওয়া দরকার, এ সম্বন্ধে তাদের কি বক্তব্য আছে তা জানবার জন্য এই বিলটি জনসাধারণে প্রচার করা হোক।

আর একটি কথা বলতে চাই--মন্ত্রী মহাশয় টাকার ঘাটতি পূরণের উপায় যে দেখিয়েছেন--tax এর উপর tax এই উপায় ছাড়া আর তিনি কিছু জানেন না। অভিমন্যুর মত ব্যূহে ঢুকবার পথ দেখিয়েছেন কিন্তু বেরিয়ে আসবার পথ দেখান নাই। যদি petrolএর tax তুলে দেওয়া হয়, তবে যুদ্ধের পূর্ব্বে সকলে প্রয়োজন মত যেমন petrol পেত--motor car ও motor bus চালাতে পারত আজকের দিনেও যদি সেই রকম ব্যবস্থা করা যায় তবে revenue অনেক বাড়তে পারে, এখনও যে পরিমাণ petrol খরচ হয়, যে পরিমাণ Tax পাওয়া যায়, তাতে Tax এর

পরিমাণ দ্বিগুণ হয়ে যেতে পারে। Motor spirit এর Tax না বাড়িয়ে যদি control তুলে দেওয়া যায় তাহ'লে আমার মনে হয় ঘাটতি বহুল পরিমাণে পূরণ হয়। কিন্তু তাদের Tax বাড়ানো একটা নেশা হয়ে গেছে—একটা খেয়াল হয়ে গেছে। আমি সেই জন্য মন্ত্রী মহাশয়কে বলি তাঁর দৃষ্টি এই দিকে আকর্ষণ করি—তিনি control তুলে দেবার ব্যবস্থা করুন, যাতে বেশী পরিমাণ motor spirit ব্যবহৃত হয় তার ব্যবস্থা করুন যে জিনিষের উপর শুল্ক বেশী আছে, তার দাম কমিয়ে জনসাধারণ যাতে বেশী পরিমাণ তা ব্যবহার করতে পারে তার ব্যবস্থা করুন। কিন্তু আমাদের পরাধীন দেশে কেবল Taxই বাড়াতে হয়। দৃষ্টান্ত স্বরূপ একটা কথা বলতে চাই – Postal Revenue যখন কমে গেল আমাদের দেশে তখন কর্ত্তারা করলেন কি ? না, Post card খামের দাম বাড়িয়ে দিলেন, book post এর দাম বাড়িয়ে দিলেন। ইউরোপে ও অন্যান্য প্রদেশে ঐ অবস্থায় Post card খামের দাম কমান হয়--জনসাধারণ যাতে তা বেশী করে ব্যবহার করতে পারে, তার ব্যবস্থা করা হয়। মন্ত্রী মহাশয় এই রকম Tax বাড়াবার নীতি গ্রহণ না করে নতুন পথ দেখান। তাতে লোকেরও সুবিধা হবে এব রাজকোষও পূর্ণ হবে। অবশ্য রাজকোষ পূর্ণ হলেও তাঁরা সেই টাকা দিয়ে ছিনিমিনি খেলবেন ও দেশের টাকার অপব্যয় করবেন--চোরাচুরি করবেন। কিন্তু আমরা অবশ্য তার প্রতিবাদ করবোই। সুতরাং এই রকম ভাবে Tax বৃদ্ধিতে আমরা সম্মতি দিতে পারি না। তাই বলি এই বিলটি বাংলা দেশের জনসাধারণের কাছে প্রচার করা হোক--এবং তাদের মতামত নেওয়া হোক। তাদের মতামত না নিয়ে এক পয়সা Tax বৃদ্ধিতেও আমি রাজী নই।

Mr. MANORANJAN DHAR: Mr. Speaker, Sir, generally speaking I am not opposed to the principles of taxing the rich and articles of luxury, but here in Bengal what are the stern realities? Here rules a Ministry which is not at all responsive to public opinion. Sir, we have just heard, only a few minutes ago, that the Ministry is not in favour of instituting a thorough enquiry into the police excesses and the wanton highhandedness committed throughout Bengal in suppressing different national movements and demonstrations. On similar and other very important burning problems of the day the Ministry is without any plan and indifferent. As I said, they are not at all responsive to public opinion. Such a Ministry and such a Government should not be entrusted with any fund.

Then again, Sir, this tax will also increase the passenger road transport cost. Sir, this is a point which was dealt with by various members.

Another point which I wish to raise here is this: You know, Sir, that in the country there are various commodities, there are various articles, which before reaching the consumers, are carried by motor transport and necessarily this fresh imposition of tax upon motor spirit will also have a natural reaction on the price of such articles, because the cost of carrying those articles will thereby be increased. There is no safeguard against this increase. So the price of consumers' goods will also increase. I, therefore, think that this tax should not be introduced now. This is an important point which I wish to impress upon the Ministry for consideration.

With these few words I support the motion for circulation.

Mr. BIMAL COMAR GHOSE: Sir, in rising to support the motion for circulation I wish to make two observations. Firstly, the Finance Minister stated that the receipts from petrol tax are expected to come down from Rs. 1 crore 60 lakhs to Rs. 40 lakhs on the ground that heavy military consumption has ceased. But, Sir, there is still very large civil demand and I wonder whether Government cannot do anything in obtaining relaxation in regard to the supply of petrol to civilian population, because that will still bring a very large yield from this tax to Government.

The second observation I have to make is this: Our opposition to this taxation, Sir, is that it might increase the transportation cost and I have one suggestion to offer. In course of his reply on the budget discussion, the Hon'ble Finance Minister stated that he was considering the possibility of imposing a graduated sales tax. Now, what I suggest is this: Can't he impose a higher tax on petrol supplied to private owners and retain the same

tax on petrol supplied to bus-owners or other public transport agencies? That can be easily done so long as there is control. Different types of coupons might be issued to different types of vehicles. I think this suggestion of mine might be considered by the Ministry.

Mr. BENODE CHANDRA CHAKRABORTY:—Mr Speaker, Sir, আমি এই প্রস্তাব circulation এ দেওয়া support করি। যদি এই প্রস্তাবটি জনসাধারণের সমক্ষে উপস্থিত করা হয় তবে petrol নিয়ন্ত্রণ, ও motor সংক্রান্ত যানবাহনের প্রশ্ন আমরা সকলে সম্যক অবগত হতে পারবো। কারণ আজ বাংলা দেশে যেভাবে নাকি motor-bus নিয়ন্ত্রণ হচ্ছে সেটা অত্যন্ত ক্ষতিকর। R T A. যেভাবে bus ও যানবাহন চলাচল নিয়ন্ত্রণ করছে তাতে আমরা দেখতে পাচ্ছি যে, অনেক bus এবং যে পরিমাণ গাড়ী চলা প্রয়োজন তা চলতে দেওয়া হয় না। এবং সেজন্য যে পরিমাণ petrol কাটতি হওয়া প্রয়োজন এবং গভর্ণমেণ্টের তাহাতে tax আদায় হওয়া যত সম্ভব তা দেখিবেন হচ্ছে না। আপনারা কলিকাতায় যাঁরা আছেন এবং যদি অনুসন্ধান করেন এখানকার R. T. A. এর নিকট বহু লোক এবং কোম্পানী যানবাহন চলাচল ব্যবস্থার জন্য permit এর জন্য apply করেছেন কিন্তু তাঁরা permit পান না। সেইজন্য কলিকাতা সহরে আজ চলাফেরার এত অসুবিধা বোধ করছি। এ কিজন্য হয়, তার অনুসন্ধান হওয়া দরকার। কারণ motor-bus সংগ্রহ সম্ভবপর হ'লেও কেন সেগুলি চলতে দেওয়া হচ্ছে না, তা আমাদের জানা প্রয়োজন। এবং এই প্রকার নিয়ন্ত্রণ অব্যবস্থা গভর্ণমেণ্টের দূর করা আশু কর্ত্তব্য তা না করে ঘাটতি জনসাধারণের উপর চাপাচ্ছেন। আপনারা মফঃস্বলে জানেন R. T. A authority খামখেয়ালীভাবে অনেক motor বাতিল করে দিচ্ছেন। কেন বাতিল করছেন তার কৈফিয়ৎ নাই। এর কোন সামঞ্জস্যপূর্ণ নীতিও নেই। এর দরুণ বাংলা দেশের জনসাধারণও দুর্ভোগ ভোগ করছে এবং Governmentও ক্ষতিগ্রস্ত হচ্ছে। কাজেই আমি আপনার মারফতে অর্থসচিবের কাছে জানাচ্ছি যে এ বিষয়ে বিস্তারিত আলোচনা দরকার এবং সেইজন্য ইহা জনসাধারণের সমক্ষে উপস্থিত করলে দেখতে পাবেন এর ভিতর দিয়ে অনেক দুর্নীতি এবং অনেক কিছুই রয়েছে যা নাকি প্রকাশ পেলে আমরা দেখতে পাব যে সত্যিই যে জন্য ঘাটতি হচ্ছে—তারজন্য কোন করভার জনসাধারণের উপর চাপান উচিত হবে না এবং এই ৭৫ লক্ষ টাকা অতি সামান্য টাকা। একমাত্র Motor Vehicle Tax এ সেই টাকা উঠে যেতে পারে—যদি motor গাড়ী ক্রয় করবার চলার নিয়ন্ত্রণ গভর্ণমেণ্ট তুলে নেন।

Mr. C. W. MILES: Sir, we think that the Bill can be taken into consideration on the floor of this House. We do not like the Bill. The main arguments against enhancement of the tax are: it establishes a dangerous precedent that reductions made by producers should be offset by taxation which follows that no reduction in industrial and transport cost will be possible.

Secondly, the proposed increase also offsets the reduction of 3 annas in the excise duty given by the Central Government in March, 1946, for the express purpose of encouraging road transport. The proposed increase therefore conflicts with the policy of the Central Government.

Thirdly, the Bengal tax is already higher than the tax in any other province. The highest rate in other provinces is 2 annas which means that if the Bengal tax is increased by 5½ annas it will be 3 times higher than the highest tax in any other province.

Fourthly, except for very rare occasions of joy-riding petrol is not a luxury but an essential element in the industrial economy of the province.

Fifthly, the tax was imposed in 1941 by this Government for the express purpose of raising funds for road construction. It was not the intention that it should be used as a means of reducing budget deficits.

However, Sir, we realise readily that there are arguments in favour of the tax: A very heavy deficit in this province must be reduced as far as possible. We have already urged upon the Finance Minister that he should explore all avenues to raise funds. We know that bus and taxi fares and transport rates are fixed on the basis of a petrol price of 2 rupees per gallon. So long as petrol rationing continues and the purchase of lorries, trucks, etc., is restricted road transport development cannot be effected. Some

people in this country and in this province pay their share of taxes. Others do their best to avoid them and since the province and the country as a whole is faced with enormous development programmes there is no possibility of taxation being substantially decreased for many years to come. This argues that those who pay will have to go on dipping their hands further into their pockets. In the case of petrol, however, the tax is easily collected and evasion is extremely difficult. Therefore, the burden is borne equally as it should be. However, Sir, weighing up the pros and cons we of this party would advise a middle course and would suggest that the rate of tax should be increased only by two annas until 31st March, 1948, and we would like to hear from the Hon'ble Minister what he is prepared to do about this.

May I have one last word? If the "Statesman" reporter is listening to me, my name is Miles. (Laughter.)

The Hon'ble Mr. MOHAMMED ALI: Sir, I oppose the motion for reference of this Bill for eliciting public opinion. My reasons are obvious. It is this that it is not the practice or parliamentary convention to refer a taxation measure for eliciting public opinion. There is a stronger objection in this particular case. The objection is this that this Bill will affect the richer section of the community. (Cries of "No, no" from the Opposition benches). I am coming to that and it is intended to utilise this tax for the benefit of the people. The dumb teeming millions in this province are not capable of voicing their opinion in favour because they are dumb as I have already said, but the persons who will be affected by this tax measure are capable of voicing their protest. Therefore, Sir, you will not be able to gauge the great volume of opinion which should be in favour of this taxation measure. This is the additional reason why this taxation proposal should not be sent for eliciting public opinion.

Mr. Datta has said that he is against all taxation measures, because he does not think that this Ministry is capable of utilising the funds properly. I have already answered this criticism of his when we had another Bill for consideration before the House. I need not recapitulate.

Mr. Datta says that control on motor spirits should be relaxed. I presume he refers to the rationing system now in force. This is a matter, Sir, which is outside the sphere of the Provincial Government and as such I am afraid we cannot promise any measure so as to relax the existing rationing system.

So far as the decontrol of motor cars is concerned, after the cessation of hostilities the control on used cars has already been relaxed and the control on new cars is also very shortly going to be relaxed.

Mr. Maiti has referred to matters which are not pertinent to the question before us and I do not think that they call for any reply.

Mr. Das Gupta has referred to bus fares in the district of Bogra. I think he has given an illustration that bus fares have risen in other parts of the province, and he attributes this rise to enhanced taxation. I would like to tell him that the cost of petrol is only an infinitesimal part of the cost of transport. Other spare parts have gone up very much in price—by about 300 to 400 per cent. Tyres are not at all available. The Transport Companies have to purchase them in the black-market at something like 500 to 1,000 per cent. over the price and therefore I think his contention that the rise in bus fares is due to petrol tax is not tenable.

Mr. Bose says that black-marketing is flourishing under the very nose of Government. I think he realises that no black-marketing can flourish unless there is public support to some extent behind it. It is not possible for Government to stop black-marketing. Government can at best control it. No black-marketing can flourish unless the public also supports it.

Mr. BIMAL COMAR GHOSE: The control is most defective.

The Hon'ble Mr. MOHAMMED ALI: Sir, Mr. Miles has referred to the Central Government's reduction in their tax so as to encourage road development and transport. Mr. Miles probably knows that the Central Government, when they reduced their tax, anticipated that the rationing system will be abolished very shortly, but circumstances have changed and the Government of India has not yet been able to withdraw the control and therefore no harm will be done if we take advantage of this fall in price and of the reduction of the Central tax. Mr. Miles has suggested, and we agree to this proposal, that this should be for a short period. We can review the position afterwards. If the Provincial Government feels that road development will be retarded by this tax, the Government of Bengal will have no objection to the repeal of this tax.

So far as the other questions are concerned, I am sure Mr. Miles will agree that it is necessary for us to augment our revenues. We are faced with a huge deficit. He has said that he is prepared to support this taxation measure provided it is not very stiff. There have been representations from our party. They feel that we should not enhance this tax so much. I am prepared to accept an amendment to the effect that the tax should be increased to a certain per cent. upon the existing rate and that a period will be fixed. If such an amendment is moved I shall accept it. Sir, I oppose the motion for circulation.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, the Hon'ble Minister has not exactly stated anything about the suggestion made by Mr. Bose about not affecting the poor man or the poor consumer.

Mr. SPEAKER: Please take your seat.

I will now put the two motions for circulation before the House.

The motion of Mr. Pramatha Nath Bandopadhaya that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, be circulated for the purpose of eliciting opinion thereon by the 31st August, 1946, was then put and lost.

The motion of Mr. Dhirendra Nath Datta that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, be circulated for the purpose of eliciting opinion thereon by the 31st December, 1946, was then put and lost.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, be referred to a Select Committee consisting of—

(1) The Hon'ble Minister in charge of the Finance Department,
(2) Mr. Dhirendra Narayan Mukherji,
(3) Mr. Nikunja Behary Maiti,
(4) Mr. Ashutosh Mallik,
(5) Mr. Pravas Chandra Lahiry,
(6) Mr. Dhananjoy Roy,
(7) Mr. Hem Chandra Nasker,
(8) Mr. A. K. Fazlul Huq,
(9) Mr. L. R. Pentony,
(10) Mr. A. F. Stark, and
(11) Mr. Dhirendra Nath Datta,

with instructions to submit their report by the 30th September, 1946, and that the quorum of the Select Committee be fixed at five.

The Hon'ble Mr. MOHAMMED ALI: On a point of order, Sir. Has he received the consent of all the members?

Mr. SPEAKER: So far as Mr. A. K. Fazlul Huq and Mr. A. F. Stark are concerned their consent has not yet been received.

Mr. DHIRENDRA NATH DATTA: I omit their names.

The Hon'ble Mr. MOHAMMED ALI: Has he received the consent of the Hon'ble Minister in charge of Finance?

Mr. DHIRENDRA NATH DATTA: His consent is not necessary.

Mr. DHIRENDRA NATH DATTA: Sir, I formally move my amendment with the names of Mr. A. K. Fazlul Huq and Mr. A. F. Stark, whose consent has not been received, deleted.

Sir, I shall be very brief. My reason for moving this amendment is that it will be decided in the Select Committee whether the tax will be earmarked for road development.

Mr. ABU TAIYAB MAZHARUL HUQUE: On a point of order, Sir. Under rule 52 of the Bengal Assembly Procedure Rules and the regulations made by the Hon'ble Speaker thereunder the consent of the members whose names are proposed for the Select Committee must be taken in writing, and since the Hon'ble Finance Minister objects——

The Hon'ble Mr. MOHAMMED ALI: No, no. My consent is not necessary.

Mr. SPEAKER: That is assumed.

Mr. DHIRENDRA NATH DATTA: Sir, my point is that it should be decided in the Select Committee whether the tax that will be raised will be earmarked for the development of road. And in that connection I want to raise two points: the first point is whether it is possible to tax the private owners without taxing the buses, as suggested by my friend Mr. Bimal Comar Ghose. If it is possible to tax the private owners without taxing the buses it will fall only upon the rich and not upon the poor. For these reasons I move that the Bill be referred to Select Committee.

Mr. SHARFUDDIN AHMAD: Sir, from what I have heard from the Hon'ble Finance Minister I do not propose to move my amendment.

The Hon'ble Mr. MOHAMMED ALI: Sir, I oppose the motion for reference of the Bill to Select Committee. The reason is obvious. It is a very short Bill, and I have already outlined the reasons for which we want to enhance this tax. I do not think any good will be done by discussing a two-clause Bill in the Select Committee.

The motion of Mr. Dhirendra Nath Datta that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, be referred to a Select Committee consisting of—

(1) The Hon'ble Minister in charge of the Finance Department,
(2) Mr. Dhirendra Narayan Mukherji,
(3) Mr. Nikunja Behari Maiti,
(4) Mr. Ashutosh Mallick,
(5) Mr. Pravas Chandra Lahiry,
(6) Mr. Dhananjoy Roy,
(7) Mr. Hem Chandra Nasker,
(8) Mr. L. R. Pentony, and
(9) Mr. Dhirendra Nath Datta,

with instructions to submit their report by the 30th September, 1946, and that the quorum of the Select Committee be fixed at five, was then put and lost.

The motion that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, be taken into consideration, was then put and agreed to.

Clause 1.

Mr. C. W. MILES: Sir, I beg to move that in clause 1 after sub-clause (2), the following new sub-clause be added, namely:—

"(3) It shall remain in force only up to the 31st day of March, 1948."

The Hon'ble Mr. MOHAMMED ALI: Sir, I accept the amendment. But before doing so I would point out that for accepting this amendment we shall have to make some consequential changes to clause 2 of the Bill which I will do when clause 2 is taken up.

The motion of Mr. C. W. Miles that in clause 1 after sub-clause (2), the following new sub-clause be added, namely:—

"(3) It shall remain in force only up to the 31st day of March, 1948.", was then put and agreed to.

The question that clause 1, as amended, stands part of the Bill, was then put and agreed to.

Clause 2.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that in clause 2, line 13, for the words "eight annas and six pies", the words "four annas" be substituted.

My point is that the original tax was one anna and six pies in the year 1941 and it was raised to three annas in 1945 and now I propose that it should be raised to four annas instead of eight annas six pies as proposed in the Bill. Sir, my motion speaks for itself for it would be a real hardship if the tax is raised to eight annas and six pies from three annas. So it should be raised to four annas.

Mr. NIKUNJA BEHARI MAITI: Sir, I beg to move that in clause 2, line 13, for the words "eight annas and six pies", the words "three annas and six pies" be substituted.

Mr. Speaker, Sir, আমি আমার amendment move করছি--॥৬ পাই স্থলে ৶০ আনা হওয়া উচিত। আমার বন্ধুরা যে কারণ দেখিয়েছেন আমি তাদের সঙ্গে একমত। আমি শুধু এই কথাটা add করছি--১৯৪১ সালে মাত্র ছ'পয়সা ছিল, ১৯৪৬ সালে অর্থাৎ পাঁচ বৎসরের মধ্যে ॥৬ পাই করা হয়েছে প্রায় ছয় গুণ বেড়ে যায়। এটা অত্যন্ত জুলুমবাজী বলে মনে হয়। তাই আমি বলছি ৶০ আনা হোক।

Mr. ABDUL KARIM: Sir, I beg to move that in clause 3, line 13, for the words "eight annas and six pies", the words "six annas" be substituted.

Considering the objections raised in the House by the representatives of motor car owners of the Congress benches and of the European benches I would request the Hon'ble Finance Minister to accept my amendment.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: On a point of order, Sir. Mr. Karim is a Parliamentary Secretary and he cannot move an amendment in a Government Bill.

Mr. SPEAKER: But Mr. Karim is a member of the House and he has every right to do so.

So far as the amendment of Mr. Bimal Comar Ghose is concerned it is out of order.

The Hon'ble Mr. MOHAMMED ALI: May I, with your permission, Sir, move a short-notice amendment to clause 2?

Mr. SPEAKER: What is it?

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The Hon'ble Mr. MOHAMMED ALI: Sir, I beg to move that in clause 2, in line 1, before the words, figures and brackets in sub-section (*1*) of section 3, the words "During the continuance in force of this Act" be inserted, and in clause 2, in line 10, for the words "shall be substituted", the words "shall be deemed to be substituted" be substituted. These are consequential changes necessitated by the acceptance of the amendment of Mr. Miles that it shall remain in force only up to 31st day of March, 1948.

The motion of Mr. Nikunja Behari Maiti that in clause 2, line 13, for the words "eight annas and six pies", the words "three annas and six pies" be substituted, was then put and lost.

The motion of Mr. Dhirendra Nath Datta that in clause 2, line 13, for the words "eight annas and six pies", the words "four annas" be substituted, was put and lost.

The motion of Mr. Abdul Karim that in clause 2, line 13, for the words "eight annas and six pies", the words "six annas" be substituted, was then put and agreed to.

The motion of the Hon'ble Mr. Mohammed Ali that in clause 2, line 1, before the words, figures and brackets in sub-section (*1*) of section 3, the words "During the continuance in force of this Act" be inserted, and in clause 2, line 10, for the words "shall be substituted", the words "shall be deemed to be substituted" be substituted, was then put and agreed to.

The question that clause 2, as amended, stands part of the Bill, was then put and agreed to.

Clause 3.

The question that clause 3 stands part of the Bill was then put and agreed to.

Preamble.

The question that the preamble stands part of the Bill was then put and agreed to.

The Hon'ble Mr. MOHAMMED ALI: Sir, I beg to move that the Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1946, as settled in the Assembly, be passed.

The motion was then put and agreed to.

The Bengal Non-Agricultural Tenancy Bill, 1946.

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to introduce the Bengal Non-Agricultural Tenancy Bill, 1946.

(Secretary then read the short title of the Bill.)

Sir, I further beg to move that the Bengal Non-Agricultural Tenancy Bill, 1946, be referred to a Select Committee consisting of—

(1) Mr. Aulad Hossain Khan,
(2) Mr. Lutfar Rahman,
(3) Mr. Nawajesh Ahmed,
(4) Mr. Hassan Ali,
(5) Mr. Majibur Rahman,
(6) Mr. Serajuddin Ahmed (of Gaibandha),
(7) Mr. Bimal Chandra Sinha,
(8) Mr. Hemanta Kumar Basu,
(9) Mr. Nikunja Behary Maiti,

(10) Mr. Ardhendu Sekhar Naskar,

(11) Mr. Gobinda Lal Banerjee,

(12) Mr. J. A. Powell, and

(13) The Hon'ble Minister in charge of the Department of Land and Land Revenue (the mover),

with instructions to submit their report by the 9th September, 1946. The number of members whose presence shall be necessary to form a quorum shall be five.

Sir, I have made a slight change in the date because it was subsequently found that the *Id* holidays and other holidays intervene and members would be busy also with cut motions. So, the date should be 9th September instead of 31st August.

Sir, this is a Bill which has been hanging fire for more than five years. Soon after the introduction of Provincial Autonomy, the attention of Government was drawn to the desirability of safeguarding the rights and interests of the non-agricultural tenants in urban areas of the province. Under the existing law the relationship between the landlords and tenants in respect of such lands is regulated by contract. The Transfer of Property Act, 1882, conferred in fact very little statutory rights on the tenants beyond what was not embodied in the contract between the parties. On the other hand section 106 of the Act provides that in the absence of a contract a lease of non-agricultural lands for purposes other than manufacture shall be deemed to be a lease from month to month terminable on the part of either lessor or leesee by 15 days' notice expiring with the end of a month. This precarious right has been fully exploited by the landlords and it has been found greatly detrimental to the development of urban areas. As a result, a volume of public opinion expressed itself in favour of conferring some definite statutory rights on non-agricultural tenants.

Accordingly on the 1st August, 1938, Government appointed a committee consisting mostly of the members of the Legislature to investigate the rights of the tenants of the non-agricultural lands in the province and to make recommendations as to what could be done to protect them from eviction at the will of their landlords. Pending the report of the committee and the passing of a comprehensive Act regulating rights in non-agricultural lands, the Bengal Non-Agricultural Tenancy (Temporary Provisions) Act was passed in 1940 staying eviction of non-agricultural tenants and the term of the Act has since been extended from time to time. The current term of extension will expire on the 29th May, 1947.

The committee submitted its report in May, 1941. The recommendations made in the report were carefully considered by Government and it was decided that the non-agricultural tenants should be given better security by legislative enactment. A draft bill was prepared accordingly as early as in September, 1941, but it could not be introduced due to war emergency. It was, however, circulated by the Revenue Department for eliciting public opinion and certain modifications were made in the Bill in the light of the opinions received. The Bill thus modified was introduced at the meeting of the Legislative Assembly on the 5th March, 1945, and referred to a Select Committee, but no further progress could be made owing to the application of Section 93 of the Government of India Act.

Government have decided to introduce the Bill in the current session of the Assembly which I have just introduced and I am just moving it for reference to a Select Committee. The provisions of the present Bill are the same as those of the Bill introduced in 1945 except that the application of the Bill to any land vested in, or in the possession of His Majesty for the purpose of the Crown Representative or a port authority of a major port or a railway administration has been barred by amending clause 60, as the

Provincial Legislature is not competent to legislate with respect thereto. *The substantive provisions of the Bill have been summarised in the Statement of Objects and Reasons.*

For the purpose of this Bill the non-agricultural tenants have been divided into four categories: the first category—those of unknown origin or which originated before the Transfer of Property Act, 1882. They are proposed to be given permanent, heritable and transferable rights. The second category—those who are holding under a written lease for a specified period of not less than 12 years. And the third category—those who are holding under a written lease but without specification of any period or without a written lease but originating from after the Transfer of Property Act, 1882, in either case the period of possession not being less than 12 years. These two categories (2 and 3) should be transferable on payment of a landlord's transfer fee but they should have a permanent heritable right. Then the fourth category—those holding under a written lease or otherwise for a period of more than one year but less than twelve years with provision for payment of compensation under certain circumstances in case of eviction. It is also proposed to provide for conversion of agricultural holdings within municipal areas into non-agricultural holdings.

The Bill has been drafted to provide for these protective rights and also to confer other incidental but necessary rights on the non-agricultural tenants of the different classes.

Sir, these are the main provisions of the Bill and it has been before the public for more than five years as the original draft was published in the gazette some time in 1941. So the public are fully aware of this and as a matter of fact the tenants of this class have been insisting that this Bill should be passed with the least possible delay.

With these words, Sir, I commend my motion for the acceptance of the House.

Mr. DHIRENDRA NARAYAN MUKHERJI: Sir, I have a short-notice amendment. I beg to move that in place of Mr. Ardhendu Sekhar Naskar, Mr. Jogendra Nath Das may be substituted and in place of Mr. Hemanta Kumar Basu, Mr. Nishitha Nath Kundu may be substituted.

Mr. KHWAJA NASARULLA: I beg to move as a short-notice amendment that after the names mentioned by the Hon'ble Minister for the Select Committee, the following names be added—

(1) Mr. Sharfuddin Ahmad,
(2) Maulvi Akbar Ali,
(3) Mr. Khagendra Nath Das Gupta, and
(4) Mr. Rajendra Nath Sarkar.

Dr. SURESH CHANDRA BANERJEE: Mr. Speaker, Sir, Non-agricultural Tenancy Bill আমরা চাই। কিন্তু যেভাবে এই বিলটি উপস্থাপিত করা হয়েছে সেইভাবে এই বিলটি গ্রহণ করা আমাদের পক্ষে সুকঠিন। এই বিলে আমরা বিশেষভাবে দুটি বিষয় আপত্তিজনক দেখি। একটি হচ্ছে এতে কলিকাতার Municipalityর অন্তর্গত যে সমস্ত Non-agricultural tenant আছে তাদের বাদ দেওয়া হয়েছে। এ সম্বন্ধে আমি আগেও বহুবার আপত্তি জানিয়েছি। আমি বলেছি যদি এই সব লোককে বাদ দেওয়া হয়--তবে কলিকাতার Municipalityর অন্তর্গত বহু শ্রমিককে দুই এক মাস কিংবা দু'চার বৎসরের মধ্যে তাদের বাড়ী ঘর থেকে বঞ্চিত হতে হবে। মাননীয় Speaker মহোদয়, এই Houseএর memberরা বিশেষভাবে জানেন যে, বহু শ্রমিক বহুকাল থেকে মালিকদের কাছ থেকে জায়গা নিয়ে, কোন নির্দ্দিষ্ট সর্ত্তে নহে, তাতে বাড়ীঘর করে, স্ত্রীকন্যাপুত্র নিয়ে বাস করছে। এই বিল হতে যদি কলিকাতা Municipal এলাকা বাদ দেওয়া হয়--তবে এই শ্রমিকদের কি অবস্থা হবে তা বোঝা সকলের পক্ষেই সহজ। শ্রমিক প্রতিনিধি হিসাবে এই বিল আমার পক্ষে গ্রহণ করা অসম্ভব। এই বিল সম্বন্ধে আগেও তীব্র প্রতিবাদ জানিয়েছি এবং আজও তীব্র প্রতিবাদ জানাচ্ছি। এই বিল এইভাবে গৃহীত হলে কলিকাতার প্রায় দুই লক্ষ শ্রমিকের সর্ব্বনাশ সাধিত হবে। তাই এই বিলের তীব্র প্রতিবাদ করছি।

দ্বিতীয় যে বিষয়টি আপত্তি করছি তা হচ্ছে Statements of Objects and Reasons,

মাননীয় মন্ত্রী মহোদয় বলেছেন এই বিলে Non-agricultural tenantকে চারভাগে বিভক্ত করা হয়েছে। এইভাবে বিভক্ত করবার মানে আমি মোটেই বুঝতে পারলাম না। আমরা জমিদারী প্রথার বিরোধী এবং আমরা এমন একটি সমাজ ব্যবস্থা প্রবর্ত্তন করতে চাই যেখানে উপরে থাকবে গভর্ণমেণ্ট, নীচে থাকবে প্রজা এবং এদের মধ্যে কেউ থাকবেনা। প্রজার মধ্যেও কোন বৈষম্য থাকবে না। আমরা চাই স্বাধীন ভারতে সাম্য-বাদের প্রতিষ্ঠা--তার মানে হ'লো, সকলে সমান হবে। আজ আমরা স্বাধীনতার দ্বারদেশে এসে উপস্থিত হয়েছি—আমরা অনতিকাল মধ্যে স্বাধীন ভারতে গণতান্ত্রিক, সমাজতান্ত্রিক গভর্ণমেণ্ট প্রতিষ্ঠা করবো। তাই এই ধরণের বিল যে এসময়ে উপস্থাপিত হতে পারে বা কল্পিত হতে পারে তা আমি ভাবতেও পারি না। আমি তাই বলছি মাননীয় মন্ত্রী মহোদয় ও Select Committee র সভ্যদের তাঁরা যেন এই বিষয়ে বিশেষভাবে বিবেচনা ক'রে সকলকে সমান অধিকার দেন; যাদের অধিকার দিতে চান তাদের ভিতর যেন বিভাগ সৃষ্টি না করেন। আমার মনে হয় এই বিল এইভাবে পাশ করা অন্যায় হবে। কলিকাতায় হোক হাওড়ায় হোক, যারা যে জমি দখল করে আছে তাদের সেই জমির অধিকার পূর্ণভাবে দেওয়া হোক। এইভাবে বিলটি যদি সংশোধন করা হয় তাহ'লে এই বিল গ্রহণযোগ্য হতে পারে, না'হ'লে এই বিল গ্রহণযোগ্য হতে পারে না।

Mr. MUHAMMAD ISRAIL: Sir, I want to say a few words on this Bill. I congratulate Government for after all bringing up the Bengal Non-Agricultural Tenancy Bill before the House. Sir, this Bill has a very chequered history. Every one knows, as the Hon'ble Minister has just now pointed out, that it was in the year 1940 that due to public agitation Government was forced to bring up a Non-Agricultural (Temporary Provision) Bill, and that was passed into an Act. Sir, that Act has been in force for the last 6 or 7 years, and is being extended year after year. In the year 1941, when the first League Ministry was in office, one Bill was introduced, but it could not be put through, because the Ministry fell. In the meantime, a second Bill was introduced in March, 1945, but that also could not be pushed through, because Section 93 was introduced in the province.

The Hon'ble Minister has pointed out that the present Bill is intended for the development of urban areas, but, Sir, even in rural areas there are hâts and bazars where the Bengal Tenancy Act is not applicable. Here also the tenants are ejectable with 15 days' notice. There has been serious agitation against the operation of this Act in Hossainpore, Bhairab in Kishoreganj, Narsingdi in Dacca, etc., where hundreds of persons have been evicted, and the people are still suffering great hardship as a result of such eviction.

My friend Dr. Suresh Chandra Banerjee has just now pointed out that Calcutta has been excluded from the operation of this Act. Why Calcutta has been excluded, it will be for the Select Committee to find out and if it is within the scope of the Bill, it will be up to them to include Calcutta. will confer no right and that will not help in the growth of bazars and hâts will confer no right and that will not help in the growth of bazars and hâts which are now growing up with the progress of civilization, industry and commerce. So I would urge the Hon'ble Minister and the Select Committee to see that so far as hâts and bazars are concerned, they must be brought within the purview of the Bill. In bringing Calcutta within the purview of the Bill, we want to give benefit not to any particular section or a particular class, but we want to give benefit to all. We have no objection to extend the benefit of the Bill to Calcutta labourers whoever they may be.

It has also been pointed out that distinction has been made between classes of tenants. That might be in accordance with the recommendations of the Non-Agricultural Tenancy Committee, but when we find that the *zemindari* system itself is going to be abolished, I wonder why there should be any distinction between tenants and tenants when we are going to confer right on them.

I have another observation to make; it is in regard to payment of *salami*. *Under the Bengal* Tenancy Act that *salami* has been abolished. In the Act *of 1928 salami was fixed at 20 per cent. Why the same salami should be* insisted upon, so far as Non-Agricultural Tenancy is concerned, is not understood. So I urge upon the Select Committee and the Hon'ble Minister that *salami* need not be paid when it has been abolished in agricultural holdings. So my submission to the Hon'ble Minister, also to the House, and particularly to the members of the Select Committee, is that class distinction should be abolished, and in rural areas, hâts and bazars brought within the purview of the Bill, as also the Calcutta and Howrah industrial areas. Sir, with these words I congratulate the Hon'ble Minister for bringing up this Bill.

Mr. DHIRENDRA NATH DATTA: Sir, I have only one suggestion to make for the consideration of the members of the Select Committee and the Hon'ble Minister in charge of the Bill. The suggestion is this that at least persons who have been evicted after the year 1941 should be restored to their original position. I hope the Hon'ble Minister will find it possible to make a provision like this in the Bill.

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Sir, as regards Calcutta I personally thought once that it should be included in this Bill, but subsequently I found that in that case the Bill would be very much delayed. Such drastic changes cannot be made hurriedly.

Dr. SURESH CHANDRA BANERJI: Make one or two months' delay but still do it.

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: As a matter of fact we are just now considering whether provisions similar to those in the Bill before us should not be incorporated in a new Bill with the title "Calcutta Bustee Tenancy Act." Some tenancy Bill I hope will be placed before the House during the next session.

Then, as regards classification of tenancy, it is absolutely necessary because even in the Bengal Tenancy Act we have classification of tenancies. We have occupancy-raiyats and non-occupancy raiyats. There are different classes of raiyats and therefore classification is necessary. Evidently, there are tenants who have holdings only on one year's lease and there are tenants who have holdings from time immemorial. These two classes of tenants should not certainly have the same right. If a person who has taken lease for one year says that he was taking lease for one year only and that though his lease would expire after one year, he should have the same right as a person who has been holding a tenancy from time immemorial, that would be absurd. Similarly some special consideration should be made for those who have taken for 25 yeas or more than 12 years. The question of rights of tenants of different categories will have to be considered in the Select Committee. If the majority of members think that they should be otherwise, then the Bill as it will emerge from the Select Committee will be placed before the House.

Then as regards the question as to whether this Bill will apply to rural areas, I think it does apply to rural areas. It is not confined only to urban areas. The Select Committee will also see that the draft is made in such a way that it is absolutely clear that the Bill includes the non-agricultural tenancies of rural areas also.

One of my friends has raised a point regarding *salami*. That question will also be considered in the Select Committee. I may remind my friend, however, that we were in a better position to abolish *salami* in the case of agricultural tenants, because that was an *abwab* which could not be realised so far as it applied to agricultural tenancies, but here I am doubtful whether that principle will apply at all. In any case we are going to consider this point also in the Select Committee if the members thereof so wish.

Another point has been raised by an honourable member regarding the lot of the persons evicted. I would draw the attention of my friends to the fact that we had for that reason passed a Non-Agricultural (Temporary Provisions) Act as far back as 1940 stopping all evictions of agricultural tenants. No tenant has, therefore, been evicted since 1940.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, probably the Hon'ble Minister is not aware of the fact that in view of the ruling of the High Court that in the case of an appeal from a tenant and not from a landlord the Non-Agricultural Tenancy Bill does not apply. The ruling of the Hon'ble High Court as reported in the "Calcutta Weekly Notes" is that in the case of an appeal from a tenant the Bengal Non-Agricultural Tenancy (Temporary Provisions) Act does not apply and on account of that there have been several cases of eviction. In such cases they should be restored.

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I take note of it. If my honourable friend will give me the particulars of the High Court ruling——.

Mr. DHIRENDRA NATH DATTA: I can give the reference.

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I now come to my motion about referring the Bill to the Select Committee as amended by Mr. Nasarulla and Mr. D. N. Mukherji——.

Mr. SPEAKER: Order, order. I will now put the two short-notice amendments to the original motion first.

The motion of Mr. K. Nasarulla that the following names be added to the names attached to the original motion, namely—

Mr. Sharfuddin Ahmad,

Maulvi Akbar Ali,

Mr. Khagendra Nath Das Gupta, and

Mr. Rajendra Nath Sarkar,

was then put and agreed to.

The motion of Mr. Dhirendra Narayan Mukherji that, in place of Mr. Hemanta Kumar Basu and Mr. Ardhendu Sekhar Naskar, the names of Mr. Nishitha Nath Kundu and Mr. Jogendra Chandra Das be substituted was then put and agreed to.

The motion of the Hon'ble Mr. Saiyed Muazzamuddin Hosain that the Bengal Non-Agricultural Tenancy Bill, 1946, be referred to a Select Committee consisting of—

(1) Mr. Aulad Hossain Khan,

(2) Mr. Lutfar Rahman,

(3) Mr. Nawajesh Ahmed,

(4) Mr. Hassan Ali,

(5) Mr. Mujibar Rahman,

(6) Mr. Serajuddin Ahmed of Gaibandha,

(7) Mr. Bimal Chandra Sinha,

(8) Mr. Nishitha Nath Kundu,

(9) Mr. Nikunja Behari Maiti,

(10) Mr. Jogendra Chandra Das,
(11) Mr. Gobindalal Banerjee,
(12) Mr. J. A. Powell,
(13) Mr. Sharfuddin Ahmad,
(14) Maulvi Akbar Ali,
(15) Mr. Khagendra Nath Das Gupta,
(16) Mr. Rajendra Nath Sarkar, and
(17) The Hon'ble Minister in charge of the Department of Land and Land Revenue (the mover),

with instructions to submit their report by the 9th September, 1946, the number of members whose presence shall be necessary to form a quorum shall be five, was then put and agreed to.

Calcutta Improvement (Howrah Amendment) Bill, 1946.

The Hon'ble Mr. MOHAMMED ALI: Sir, I beg to introduce the Calcutta Improvement (Howrah Amendment) Bill, 1946.

(The Secretary then read the short title of the Bill.)

Mr. SPEAKER: I think we should rise now. We have done much work.

Adjournment.

The House was then adjourned at 12-10 p.m. till 3-30 p.m. on Monday, the 5th August, 1946, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 5th August, 1946, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. NURUL AMIN) in the Chair, 5 Hon'ble Ministers and 211 members.

Absence of questions and answers.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, before you proceed with the business of the House I should like to refer to a matter which affects the privilege of the members of the House. Today is the 5th of August and even after so many days' sittings we find that there is yet no reply to any question. It is a great privilege of the members of the House to ask questions but we have been denied this privilege so long. I have been making this complaint times without number. I find that the Chief Minister is absent. I hope Mr. Mohammed Ali will tell us whether he intends that the questions sent should not be answered.

The Hon'ble Mr. MOHAMMED ALI: Sir, may I explain the position? According to your decision all questions that were pending for answer from the last Assembly before its dissolution have lapsed and therefore the question of answering those questions does not arise. Now, all fresh questions which have been received are being dealt with as expeditiously as possible, but members must realise that for the purpose of collecting information Government will require some time. As soon as all information is collected answers will be given. Once the matter gets going, questions will be replied to regularly and there will be no further delay. It is, Sir, in the initial stage that answers do not come to the Assembly quickly but after some time they will come regularly. This time only new questions have to be answered and all pending questions have lapsed.

Mr. DHIRENDRA NATH DATTA: Sir, this is not the occasion when the Assembly is sitting for the first time. We have been sitting for a pretty long time and we have been sending questions from the middle of June, but answers to these questions have not yet reached the Assembly office. The questions notices of which were sent in the month of July ought also to have been answered by this time. In 1937 when the Assembly had its first sittings under the new Constitution, questions were answered from the very beginning in the first session in the month of April, 1937.

Mr. SPEAKER: All questions that were put before the dissolution of the last Assembly have lapsed. So the question of answering those questions does not arise. Mr. Datta wants to know when replies to questions sent during this session will be ready and the Hon'ble Mr. Mohammed Ali has given a suitable reply thereto. He has also taken a note of the sense of the House. I hope the Hon'ble Ministers will expedite the answers.

GOVERNMENT BILL.

The Calcutta Improvement (Howrah Amendment) Bill, 1946.

The Hon'ble Mr. MOHAMMED ALI: Sir, I beg to move that the Calcutta Improvement (Howrah Amendment) Bill, 1946, be taken into consideration.

Sir, this Bill purports to extend the jurisdiction of the Calcutta Improvement Trust to the Howrah Municipality so that improvements can be effected in that sister city. Since the passing of the Calcutta Improvement Act, 1911, the metropolis of Calcutta has made rapid progress and has developed. But for want of similar provisions for the Municipality of Howrah that sister city could not improve. It is now felt that provisions should be made so that the jurisdiction of the Calcutta Improvement Trust may extend to the Municipality of Howrah so that the Municipality of Howrah may also develop on the same lines like that of Calcutta. This Bill has been hanging fire for a long time from 1937—

Mr. SUSHIL KUMAR BANERJEE: From 1916.

The Hon'ble Mr. MOHAMMED ALI: Yes, but since the autonomous reforms came, the question has been hanging and a Bill was introduced to amend the Calcutta Improvement Act of 1911. It went into a Select Committee, and the present Bill which has just been introduced in this House is as it has emerged out of the Select Committee. All the recommendations of the Select Committee have been incorporated in this new Bill. Therefore, I would like to place before the members some of the salient features of the Bill. The main provisions in the Bill are—

(1) Extension of the Calcutta Improvement Act by the Provincial Government to the Howrah Municipality and its neighbourhood (clause 2 of the Bill).

(2) Appointment of additional members on the Board of Trustees, *viz.*, (*i*) a member of the Indian Chamber of Commerce, (*ii*) a member of the Muslim Chamber of Commerce, (*iii*) Chairman, Howrah Municipality, (*iv*) District Magistrate, Howrah, (*v*) two Commissioners of the Howrah Municipality, (*vi*) two other persons interested in the development of the Howrah Municipality to be appointed by Government (clause 4).

(3) No business relating to the Howrah Municipality or its neighbourhood shall be transacted at a meeting unless three Howrah Trustees are present at the meeting (clause 12).

(4) (*a*) A Howrah Committee shall be constituted consisting of the Chairman, the six Howrah Trustees and not more than four other trustees elected by the Board [proposed section 20A(*1*), clause 14].

(*b*) The Howrah Committee may associate with themselves other persons [proposed section 20A(*2*), clause 14].

(*c*) All matters connected with the operation in Howrah or its neighbourhood, shall be considered first by the Howrah Committee, and the Board in making any decision on such matters shall consider the recommendations of the Howrah Committee [proposed section 20(A)(*3*), clause 14].

(*d*) The decision of the Board as to whether any matter is connected with the operation in Howrah or its neighbourhood shall be final [proposed section 20A(*6*), clause 14].

(*e*) The Howrah Committee, subject to the approval of the Board, may appoint sub-committees (proposed section 20B, clause 14).

(5) (*a*) The Board shall, as soon as may be possible, frame a general scheme for the drainage and sewerage of the Howrah Municipality and may at any time frame an extension of the said general scheme to any area in the neighbourhood of the Howrah Municipality when the provisions of the Act are extended to that area [proposed section 67A(*1*), clause 35].

(*b*) The Board may frame a separate scheme for the construction of outfall works, pumping works, etc., without detriment to the framing of the rest of the said scheme [proviso to section 67A(*2*), clause 35].

(c) The Board shall transfer constructions made under the Howrah Drainage and Sewerage Scheme or any extension of such scheme to such municipality or municipalities as the Board may with the prior sanction of the Provincial Government determine [proposed section 67C(1), clause 35].

(6) For financing the operations of the Board in Howrah and its neighbourhood a separate fund shall be constituted, to be called the Howrah Fund to which will be credited—

(i) the proceeds of an additional stamp duty of two per cent. on transfer of immovable properties including long term leases within the Howrah Municipality (clause 36);

(ii) a contribution from the municipal fund of Howrah equivalent to one-half per centum per quarter on the annual rateable valuation of holdings within the Howrah Municipality, there being an obligation on the Municipal Commissioners of Howrah to make up the deficit if the combined proceeds from these two sources fall short of two and a half lakhs of rupees in any year (proposed section 88A, clause 40),

(iii) an annual sum of not less than three lakhs of rupees to be contributed by the Board from its present sources (proposed section 88B, clause 40).

(7) The Board is authorised to transfer in any financial year from its Calcutta Fund to its Howrah Fund by way of loan any amount not exceeding three lakhs of rupees provided that except with the prior sanction of Government, the aggregate outstanding amount of such loan shall not at any time exceed ten lakhs of rupees (proposed section 88C, clause 40).

(8) Government, after approving and sanctioning the Howrah Drainage and Sewerage Scheme, shall contribute one-third of the capital cost of the scheme. This is the proposed new section 88D, that is, clause 40 of the amending Bill.

(9) No money from the Howrah fund shall be applied in repayment of any loan which was not taken for the purpose of operations in Howrah Municipality or its neighbourhood and no money from the Calcutta fund shall be applied in repayment of any loan taken for operations in Howrah Municipality or in its neighbourhood. This is in clause 43.

(10) The Provincial Government on being furnished with necessary information from the Board shall fix annually what proportion of the total cost of the management of the Board shall be paid from the Howrah fund to the Calcutta fund on account of the cost of management in respect of the Howrah Municipality. This is provided for in clause 53.

(11) The Capital Accounts and the Revenue Accounts of the Calcutta and the Howrah funds shall be kept separately provided that subject to the apportionment of the cost of management between the Calcutta and the Howrah funds made by the Provincial Government, the whole cost of management of the Board in any year may be paid out of the Revenue Account of the Calcutta fund. This is provided for in clause 54.

(12) The Board shall maintain a closing balance of one lakh of rupees for the Howrah fund. This is provided for in clause 58.

(13) On dissolution of the Board the assets and liabilities of the Board in respect of Calcutta and its neighbourhood shall devolve on the Calcutta Corporation and the assets and liabilities of the Board in respect of the Howrah Municipality and its neighbourhood shall devolve on the Howrah Municipality. This is provided for in clause 68.

(14) The Provincial Government may, notwithstanding anything contained in the Act, by order do anything which appears to be necessary for

the purpose of removing any difficulty which may arise in giving effect to the provisions of the Act in Howrah Municipality or in any area in its neighbourhood and in the Calcutta Municipality or in any area in the neighbourhood of the Calcutta Municipality. This is provided for in clause 69.

Sir, it will thus appear that the provisions of this Bill are non-controversial and will go a long way towards relieving the congestion in the city of Calcutta by giving increased facilities for living in the city of Howrah. I hope this Bill will receive the unanimous support of the House and there will be no difficulty in going through the Bill as expeditiously as possible specially in view of the fact that the Bill has been pending for legislation for a long time. I am sorry to find the Leader of the Opposition shaking his head. I thought that a Bill of this nature would receive the support of the members of the Opposition as it is non-controversial in its provisions and specially because it tries to do some good to the people within the limits of the city of Howrah.

Sir, with these words I commend my motion for acceptance of the House.

Mr. CHARU CHANDRA BHANDARI: Mr. Speaker, Sir, this Bill in extending the operation of the Calcutta Improvement Act to Howrah is welcome, but I would draw the attention of the Hon'ble Minister to one important matter in this connection. Good things are mentioned in the preamble of the Calcutta Improvement Trust Act as well as in section 52 of the Act regarding rehousing of the people of poorer section and working classes who are displaced or who are likely to be displaced by any improvement scheme, but very little has as yet been done in the Calcutta area for rehousing of the poorer and working classes. Sir, the discretionary nature of section 52 is mainly responsible for the same. If the provisions of that section could have been made obligatory, such things would not have happened.

Sir, I would read out the preamble of the Act and the relevant section 52. Whereas it is expedient to make provision for the improvement and expansion of Calcutta, etc., and for the rehousing of persons of the poorer and working classes displaced by the execution of an improvement scheme, etc.

Section 52 is relevant. That is the only section which provides for rehousing of the poorer classes and working classes displaced or likely to be displaced by an improvement scheme. The Board may frame schemes (herein called rehousing schemes) for the construction, maintenance and management of such and so many dwellings and shops as they may consider ought to be provided for persons of the poorer and working classes who are displaced by the execution of any improvement scheme sanctioned under this Act or are likely to be displaced by the execution of any improvement scheme which it is intended to frame or to submit to the Provincial Government for sanction. Every rehousing scheme shall be submitted to the Provincial Government who may either sanction it with or without modification or refuse to sanction it. The Board shall not themselves construct dwellings or shops under a rehousing scheme unless they are satisfied after definite enquiry that no other person is willing and able to construct them and is prepared to construct, maintain and manage them under the control of the Board.

Therefore, it is discretionary on the part of the Board of Trustees to make provision or to make a scheme for rehousing the displaced, the poorer classes and the working classes. It is in their discretion.

Sir, the state of things in our present society is such that very few people in authority, however great they may be in other respects, come forward in their discretion to do any good for the poorer classes. Therefore,

in this state of things the provisions for doing any good for the poorer classes should be made obligatory. I think that before proceeding with this Bill extending the operation of the Calcutta Improvement Trust Act to Howrah, the provisions of this section should be amended or recast so that it would be obligatory on the part of the Improvement Trust authorities to make and execute a scheme for rehousing the poorer classes and the working classes before any scheme which is likely to displace them is sanctioned because Howrah abounds in people of the poorer classes and working classes. This should be done first and if this be not done, the same thing will happen here. Therefore, I will request the Hon'ble Minister to give special attention to this important matter and recast this section before proceeding with this Bill.

Mr. SIBNATH BANERJEE: Sir, I would like to make some observations with regard to this Bill. I support my friend Sri Bhandari and the arguments he has already offered. I need not repeat them. I come from Howrah, the dirtiest town in the world. Mr. Speaker, I am not exaggerating. It is the dirtiest city in India, it is the dirtiest city in the world. Sixty years back, the Sanitary Commissioners reported the *bustees* as veritable hells and things have not since improved at all. In the six years of this war thousands of military lorries have been running there and roads are really cesspools. Therefore it is necessary that the interest of the poorer classes should be looked into. Now the population is nearly 6 lakhs of which, I think, more than 80 *per cent.* are coolies or workers. Those who are living today in Pilkhana, Tikiapara, Ghusuri, Seelbustee and in such places require improvement, but if they are ousted by force from their homes, that would be worse than help to them. Government are in the habit of ousting men from their homesteads as they are trying to do elsewhere. About 150,000 peasants outside Calcutta are being ousted from their homesteads, and for the purpose of extending Calcutta, I am afraid, similar things might be done in Howrah, so that the improvements might be made for the *bara sahibs* of the mills, but it will be a great harassment for the poorer classes. So unless provision is made for housing them properly and houses are constructed and they are given those residential quarters, the *bustees* should not be demolished. Before that any attempt to demolish the *bustees* will mean that they will have to live on the foot-paths. Sir, I support my friend, the previous speaker.

Then I would like to add only one word that one imaginative Chairman of the Howrah Municipality said long ago—six years back "I feel the baby is moving" meaning that the Bill is coming. It has taken six years to move and I hope it will not take any longer period and the proverbial mouse will not be produced by a mountain in labour.

The Hon'ble Mr. MOHAMMED ALI: Sir, I associate myself with what has fallen from the lips of two honourable members of the Opposition regarding necessity for providing housing arrangements for *bustee* dwellers before their eviction, but unfortunately any amendment of principle in this Bill will be *ultra vires*, because this Bill extends the jurisdiction of the Improvement Trust to the Howrah Municipality. But I may tell the House that we have in contemplation a legislation for rehousing the *bustee* dwellers. I may also tell the House that a special and new Branch is being created which will be attached to the Public Health and Local Self-Government Department. The new Branch will deal with rehousing and town planning. All these matters will be taken up by Government. They are aware of the necessity for providing better housing facilities to the poor town dwellers. Therefore I can assure the House that we will do our utmost in order to solve the problem. I would request the honourable members to bear this in mind and to accept the provisions of the Bill as they stand at present.

The motion of the Hon'ble Mr. Mohammed Ali that the Calcutta Improvement (Howrah Amendment) Bill, 1946, be taken into consideration, was then put and agreed to.

Clauses 1 and 2.

The question that clauses 1 and 2 stand part of the Bill was then put and agreed to.

Clause 3.

Mr. DHIRENDRA NARAYAN MUKHERJEE: Sir, may I move with your permission amendment No. 3 which stands in the name of Mr. Anandilal Poddar?

Mr. SPEAKER: So far as this amendment is concerned, I am doubtful about its admissibility, but before I refuse admission, I should like to hear the honourable member as to how it can be brought within the scope of the Bill.

Mr. DHIRENDRA NARAYAN MUKHERJEE: Sir, the area of Tollygunge and Behala Municipalities is sought to be included because these places are to be equally treated like Howrah. If these places are incorporated in the Bill——

Mr. SPEAKER: That is not my queston. The whole of Bengal has got to be improved. There is no doubt about it, but I should like to know how these municipalities can be brought within the scope of the Bill.

Mr. DHIRENDRA NARAYAN MUKHERJEE: I understand the difficulty, but I am appealing to Government——

The Hon'ble Mr. MOHAMMED ALI: If you realise the difficulty, you should not press for it.

Mr. SPEAKER: Then I take it that this is withdrawn.

The question that clause 3 stands part of the Bill was then put and agreed to.

Clause 4.

Mr. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 4(*2*) in proposed sub-section (*2*) of section 4, in line 3, for the word "nineteen" the words "the following" be substituted. আমার এই amendment, সংশোধন প্রস্তাব উত্থাপন করতে বক্তৃতা দেবার প্রয়োজন নাই। এ বিষয়ে আমার বিশ্বাস Governmentএর পক্ষে এবং আমাদের সবার পক্ষে যাতে কাজ শীঘ্র হয়। হাওড়ার যে ব্যবস্থা এর সম্বন্ধে আমাদের যে সব বন্ধুরা বলেছেন তা শুনেছেন,--তাই এ সম্বন্ধে আর বক্তৃতা দেবার প্রয়োজন নাই। এটা একটা সামান্য প্রস্তাব--for the word "nineteen"এর জায়গায় the "following" বসান হোক।

Sir, I also beg to move that in clause 4(*2*) in proposed sub-section (*2*) of section 4, in line 3, the word "namely" be omitted.

Mr. DHIRENDRA NATH DATTA: Sir, in the absence of Mr. Poddar may I move the motions standing in his name with your permission?

Mr. SPEAKER: Yes.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that in clause 4, in proposed sub-section (*2*) of section 4 after clause (*e*), the following new clause be inserted, namely:—

"(*ee*) a member of the Marwari Association".

Mr. SPEAKER: You have got another amendment on this clause, *i.e.*, amendment No. 8. You can move it.

Mr. DHIRENDRA NATH DATTA: Sir, I will not move it.

Mr. SPEAKER: If you do not move amendment No. 8 how will you accommodate the additional member contained in the amendment, *viz*: "a member of the Marwari Association", which seeks to increase the number? Therefore, amendment No. 7 will be dependent on Mr. Banerjee's amendment. I would bring this fact to your notice that if Mr. Banerjee's amendment fails then amendment No. 7 cannot be fitted in. Mr. Banerjee's amendment seeks to substitute the words "the following" in place of the word "nineteen". If you had moved amendment No. 8 then amendment No. 7 might have been independent of Mr. Banerjee's amendment even if Mr. Banerjee's amendment had failed.

Mr. DHIRENDRA NATH DATTA: Then, Sir, I will move that amendment.

Sir, I beg to move that in clause 4 in proposed sub-section (2) of section 4, in line 1 of item (*iii*) of clause (*f*), for the word "four" the word "three" be substituted.

Mr. SPEAKER: So far as amendment No. 10 is concerned, I think I should not admit it, because that contingency has not arisen. So this is disallowed.

As regards amendment No. 11, that is also disallowed.

Mr. J. C. GUPTA: Sir, with regard to your ruling that Mr. Anandilal Poddar's amendment No. 7 is dependent upon the amendment of the word "nineteen", I respectfully submit that if the two amendments of Mr. Anandilal Poddar are taken together the one that "four" be reduced to "three" can be done independently.

Mr. SPEAKER: That is what I have told Mr. Dhirendra Nath Datta.

Mr. DHIRENDRA NATH DATTA: Sir, may I have your permission to speak on amendment No. 7, which stands in the name of Mr. Anandilal Poddar.

Sir, if you look to section (*4*) of the Calcutta Improvement Act, 1911, you will find that the Board consist of 11 trustees, namely, the Chairman of the Corporation, the Chief Executive Officer of the Calcutta Corporation, three other members of the Corporation, a member of the Bengal Chamber of Commerce, a member of the National Chamber of Commerce, and four other persons.

Sir, in the present Bill not only a member of the Bengal Chamber of Commerce, a member of the Indian Chamber of Commerce, but a member of the Muslim Chamber of Commerce, have also been put in Sir, I do not object to this, but what I object to is the omission of the Marwari Chamber of Chamber. If all the other Chambers of Commerce can be represented on the Board, I do not see any reason why a member of the Marwari Chamber of Commerce cannot be put in. In fitness of things, if a member of the Muslim Chamber of Commerce can be included now in a new Bill, why cannot a member of the Marwari Chamber of Commerce also be included. (Cries of "no", "no" from the Government benches; "they are not Bengalees"). Sir, the Marwaris should not be excluded. They must be represented on the board. They cannot be driven out. They are, for all practical purposes, residents of the city of Calcutta, and have got large interests in this city. It is known to everybody in this House, that a large number of members of the Muslim Chamber of Commerce are non-Bengalees. I do not object to a member of the Muslim Chamber of Commerce being put in. But what I want to say again is this that when a member of the Muslim Chamber of Commerce can be included, there is absolutely no reason why the Marwaris who have long settled in Calcutta

and have been carrying on business here should be kept out. So, I hope that a member of the Marwari Chamber of Commerce may be put in.

The Hon'ble Mr. MOHAMMED ALI: Sir, it is very refreshing that the Deputy Leader of the Congress Parliamentary Party is advocating the cause of Marwaris. (Cries of "hear, "hear" from the Government benches). Members on this side of the House are very eager to protect the interests of minorities in this province, and I can assure the honourable members that the interests of the minorities in this province will never be neglected by Government. Sir, so far as the present amendment is concerned, it will be creating a dangerous precedent if it is accepted. We will never know where to draw the line; because all kinds of special interests will be put forward for inclusion on the Board. There are members of the Parsee community, Anglo-Indian community, Scheduled Caste community, and other communities who can equally present their claims for representation. Therefore, I oppose this amendment.

The motion of Mr. Sushil Kumar Banerjee that in clause 4(2) in proposed sub-section (2) of section 4, in line 3, for the word "nineteen" the words "the following" be substituted, was then put and lost.

The motion of Mr. Sushil Kumar Banerjee that in clause 4(2) in proposed sub-section (2) of section 4, in line 3, the word "namely" be omitted, was then put and lost.

The motion of Mr. Dhirendra Nath Datta that in clause 4, in proposed sub-section (2) of section 4 after clause (e), the following new clause be inserted, namely:—

"(ee) a member of the Marwari Association"

was then put and a division called.

(When the Division Bell was ringing Mr. Fazlul Quadir rose.)

Mr. FAZLUL QUADIR: Sir, the other day you said that no division would be taken on any day before 4-30 p.m. Why is it taken now?

Mr. SPEAKER: Yes, under an arrangement it was settled that no division would be called before 4-30 p.m. So this division is held over.

So the amendments to clauses 7 and 9 will also be held over because these depend on amendment No. 7.

Clause 14.

Mr. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 14, in proposed sub-section (1) of proposed section 20A, in line 6, for the word "four" the word "two" be substituted. এ সম্বন্ধে আমার একটা বক্তব্য এই যে দার্জিলিং-এ একটা Conference হয়েছিল বেশী দিন আগে নয়। মাননীয় মন্ত্রী মহাশয় যে বিলের কথা উত্থাপন করেছিলেন সেই বিল যখন তৈরী হয় তার আগেই দার্জিলিং-এ একটা Conference হয়েছিল। সেখানে decided হয়েছিল এবং Government-ও Improvement Trust agree করেছিল যে হাওড়া ব্যাপারে অন্য কোন লোক থাকবে না। কিন্তু বিল যখন এল তাতে সেখানে তিন জন এল। আর এবার যে বিল আনা হয়েছে তাতে হয়েছে চার জন। আমার মনে হয় দার্জিলিং-এ যে Conference হয়েছিল সেখানকার সেই কথাই তাদের রাখা উচিত এবং যাতে সেখানে দুই জনের বেশী না রাখা হয় তাই করা উচিত।

Sir, I beg to move that in clause 14, in proposed sub-section (3) of proposed section 20A, in lines 6 and 7, for the words "shall consider the recommendations of the Howrah Committee thereon" the words "shall not accept any proposal which is not supported by a majority of the Howrah members" be substituted. এই ব্যাপারটা হচ্ছে এই—হাওড়া কমিটি বলে যে কমিটি আপনারা করবেন, সেই কমিটিতে এমন কোন অবস্থা ঘটে উঠতে পারে যেখানে হাওড়ার কোন স্বার্থ না রেখেও কাজ হয়ে যেতে পারে। কারণ হাওড়ার মাত্র হচ্ছে চার জন, বাকী দুই জন official, আর বাকী হচ্ছে বাইরের লোক। কাজেই হাওড়ার স্বার্থ বজায় না থাকার অবস্থা হয়ে যেতে পারে। হাওড়ার Improvement Trust যে কাজ

করবেন হাওড়ার স্বার্থের জন্যই তা হতে পারে এবং হাওড়ার বাইরে যাদের স্বার্থ আছে তাদের সেখানে আসা বা থাকা উচিত নয়। কাজেই আমার বক্তব্য হচ্ছে হাওড়ার ব্যাপারে মাত্র দুইজন বাইরের লোক থাকতে পারে। এবং তা এইজন্য যে বাইরের লোকের experience থাকার জন্য কাজে সুবিধা হবে।

Sir, I beg to move that in clause 14 after proposed sub-section (*6*) of proposed section 20A, the following provisos be added, namely:—

> "Provided that a majority of the Howrah members may if they feel aggrieved at the decision of the Board in this respect appeal to the Provincial Government against the decision within 48 years and the decision of the Provincial Government shall prevail:
>
> Provided further that on receipt of a copy of the petition of appeal the Chairman shall stay further proceedings with regard to the question until the decision of the Provincial Government is received".

এটাও আগেকারের সঙ্গে সম্বন্ধ। যদি তাঁরা কোন decision করেন majority of votes, তাহলে হাওড়া বোর্ডের মেম্বার বা যারা minority তাদের কাজে অসুবিধা হবে। কাজেই তারা এমন power চান যাতে তাদের কাজে কোন অসুবিধা না হয়।

Sir, I beg to move that in clause 14, in proposed sub-section (*1*) of proposed section 20B, in lines 1 and 2, the words "subject to the approval of the Board" be omitted.

Mr. A. F. STARK: Sir, I beg to move that in clause 14 in proposed sub-section (*6*) of proposed section 20A, for the word "Board" in the last line, the word "Chairman" be substituted.

Sir, sub-section (*6*) provides that the question whether any matter arises out of or is connected with the operation of the Act in the Howrah Municipality or any neighbouring area, shall be decided by the Board, which means, by a vote of the Board. Sir, we do not think that such questions which are of a semi-judicial character should be decided by a vote. They should be decided by the presiding member. And I see that in clause 12 this has been provided in the case of the Board: Clause 12, sub-clause (*2*), provides that if any question arises in a meeting as to whether a matter before the Board does or does not relate to or affect the Howrah Municipality or any neighbouring area the decision on such question of the person presiding at such meeting shall be final.

Sir, it seems to me that there is inconsistency in any case between clause 12 and clause 14 and I would submit, Sir, that it would be better to place in the hands of one person the responsibility of deciding whether a matter does or does not affect Howrah.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, Mr. Sushil Kumar Banerjee has moved his amendment No. 20. He is not satisfied with the decision of the Board. He wants that there should be a provision of preferring an appeal if the majority of the Howrah members think that the decision is against them. But Mr. Stark wants more. He wants that the decision of the Board should not be final but that the decision of a particular individual, the Chairman of the Board, shall be final. We also want the existence of a right of appeal. We want to see that the decision of the Board should not be final, but Mr. Stark, not to speak of the decision of Board, wants the decision of a particular individual, who is to preside over the Board to be final. My friend Mr. Sushil Kumar Banerjee is certainly against that apprehending that even the decision of the Board may affect prejudicially members of the Howrah Committee. As we find there are only 4 members out of 19 members of the Howrah Committee, any decision of the Board may prejudicially affect them. For that he wants an appeal to be preferred to the Provincial Government. I am quite sure, Sir, Mr. Mohammed Ali cannot have any objection to the amendment moved by Mr. Sushil Kumar Banerjee. Mr. Banerjee not being a lawyer

has put in 48 hours in which to prefer an appeal so that there may not be any delay. If I were to draft it I would have put in at least a week within which to prefer an appeal. But Mr. Banerjee wants to expedite the matter and for the purpose of expedition he has put in 48 hours instead of a week.

Sir, the second proviso is consequential, if, as a matter of fact an appeal be allowed or an appeal be accepted. He wants that the decision of the Board be stayed pending the decision of the Provincial Government. Mr. Speaker, Sir, you are aware that on the preferment of an appeal the execution of the decision of the lower court is stayed until an order is passed by the appellate court. This is provided in the Civil Procedure Code. Therefore he wants a proviso to the effect that as soon as the appeal is preferred the decision of the Board be stayed. So it is a consequential thing. I think Mr. Mohammed Ali, who is in charge of the Bill, will agree to the amendment of Mr. Sushil Kumar Banerjee and oppose the amendment of Mr. Stark.

With these few words I support the amendments of Mr. Sushil Kumar Banerjee and oppose the amendment of Mr. Stark.

The Hon'ble Mr. MOHAMMED ALI: Sir, I oppose amendment No. 16. The object of the amendment is to strengthen the Howrah representatives on the committee. The Howrah representatives are already in a majority; therefore no useful purpose will be served by reducing the number of other representatives on the committee. So, I oppose that amendment.

So far as amendment No. 17 is concerned any matter relating to the operation of this Act within the jurisdiction of the Howrah Municipality or in its neighbourhood is likely to have effect on the affairs of the Board and should not therefore be decided exclusively by the Howrah representatives. Therefore, I oppose that amendment.

As regards amendment No. 20, this proposed amendment will interfere with the smooth working of the Board. Every decision of the Board may be contested and the aggrieved party may come up to Government and Mr. Banerjee has put in 48 hours' time to put in an appeal. Sometimes it may not be possible to move an appeal within 48 hours and the working of the Board will be hampered. Therefore, Sir, I oppose this amendment

As regards No. 21, I also oppose this amendment because the Howrah Committee is a committee under the Board and should be under the control of the Board. The appointment of sub-committees for the Howrah Committee should, therefore, be subject to the approval of the Board as provided in the Bill.

As regards the amendment of Mr. Stark for the substitution of the word "Chairman" in place of the word "Board", I accept it. (Cries of "hear"; "hear" and laughter from Opposition benches.) Sir, I find the Opposition members are jubilant. I am prepared to accept amendments even moved by the Opposition. If they are patient they will find that I will accept some of their amendments. I am accepting it purely upon the respective merits of the amendment. As Mr. Stark has pointed out, this is inconsistent with the provisions of clause 12 and it will facilitate good working and smoother working of the Board. Therefore, I accept this amendment No. 19 and oppose other amendments and if the members of the Opposition will be patient they will see that I will accept some of their amendments.

Clause 16.

Mr. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 16, for item (*2*), the following be substituted, namely:—

"(*2*) after the words 'a Committee' the words 'or a Sub-Committee or a member associated with the Howrah Committee under sub-section (*2*) of section 20A' shall be inserted; and"

The Hon'ble Mr. MOHAMMED ALI: Sir, I asked the Opposition members to be patient to see that I am going to accept some of their amendments too. Sir, I accept the amendment.

Clause 19.

Mr. SPEAKER: Amendment No. 23 is disallowed.

Clause 21.

Mr. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 21, in proposed section 40A, in line 6, for the words "is complementary in its provisions to" the words "does not clash with the provisions of or does not prejudicially affect the provisions of" be substituted.

Sir, these are mere technical things.

The Hon'ble Mr. MOHAMMED ALI: Sir, I accept amendment No. 24 of Mr. Sushil Kumar Banerjee.

Clause 35.

Mr. SPEAKER: With regard to amendments Nos. 25 and 26, there is some difficulty because Governor's consent is necessary under section 299. So, I think this clause be held over now.

Mr. A. F. STARK: On a point of order, Sir. This does not require any previous sanction. There is no question of any burden on the provincial exchequer. It recommends compensation to the Howrah Fund to be paid by some other municipality. Therefore I do not see how any previous consent is necessary. We shall be quite pleased that this should be expunged.

Mr. SPEAKER: Amendment Nos 25-26 is held over.

Clause 19.

Mr. DEBI PROSAD KHAITAN: Before you proceed to the next amendment, Sir, may I know the fate of amendment No. 23 to clause 19? It seems to be a necessary incidental amendment.

Mr. SPEAKER: Amendment No. 23 is dependent on amendment No. 3.

Mr. DEBI PROSAD KHAITAN: No, Sir; it is not. It is dependent on clause 3 of the Bill and not on any amendment which is moved or disallowed.

I will refer to clause 3 of the Bill, and if you will kindly refer to *(1a)* you will find "area in the neighbourhood of the Calcutta Municipality means any area on the east side of the river Hooghly which is in the neighbourhood of that municipality". If you will again refer to sub-clause *(2a)* you will find "area in the neighbourhood of the Howrah Municipality means any area on the west side of the river Hooghly which is in the neighbourhood of that municipality." This amendment No. 23 to clause 19 is a necessary amendment incidental to clause 3, sub-clauses *(1a)* and *(2a)*. If you will kindly refer to clause 19(3) *(c)* you will find here mentioned after the words "improvement scheme" the words "in respect of the Calcutta Municipality or the Howrah Municipality, as the case may be," shall be inserted, but clause 3 of the Bill empowers the Government to issue notifications in respect of areas in the neighbourhood of the Calcutta Municipality and the Howrah Municipality. I submit, Sir, that without the addition of the words referred to in amendment No. 23 there is a lacuna in the Bill which should be corrected and I have not the slightest doubt that the

Hon'ble Mr. Mohammed Ali will fully understand the implications of amendment No. 23 and accept it. Otherwise there will be a lacuna and a defect in the Bill as it will be passed by this House.

The Hon'ble Mr. MOHAMMED ALI: Sir, I propose to accept that amendment.

Mr. DEBI PORSAD KHAITAN: Thank you.

Mr. NISHITHA NATH KUNDU: It has not been moved yet.

Mr. SPEAKER: Mr. Khaitan, will you please move the amendment formally?

Mr. DEBI PROSAD KHAITAN: Yes, Sir. I beg to move that in clause 19(3) (c), in line 3, after the word "municipality" the words "or any other adjacent area to which the Act applies" be inserted.

Mr. SPEAKER: I think I should now put to vote the amendments and the clauses which we have discussed up till now, because it is now past half past four.

The Hon'ble Mr. MOHAMMED ALI: As we are working very hard I hope the Opposition will not press for a division.

Mr. DEBI PROSAD KHAITAN: When amendment No. 7 was moved I did not have an opportunity of explaining it and if you will kindly give me special permission to explain in a minute or two I hope the Government Member will be pleased to accept it. I may refer to the constitution of this very House.

The Hon'ble Mr. MOHAMMED ALI: On a point of order, Sir, I think the question was raised; it was replied to and the motion was put to vote. I do not think it will be in order to raise that point again.

Mr. DEBI PROSAD KHAITAN: The Hon'ble Minister has appealed to the Opposition not to press this amendment to vote.

The Hon'ble Mr. MOHAMMED ALI: I said "Let us not go to vote". That is what I said and not on any particular motion.

Mr. J. C. GUPTA: Therefore we are listening harmoniously to what you have said.

Mr. DEBI PROSAD KHAITAN: The Hon'ble Minister having requested the Opposition not to press the matter to a division I hope he will extend to us the courtesy of allowing me to explain to him why we are not in a position to accept his request and we would ask him to accede to our request of accepting the amendment. I hope, Sir, he will extend to us that courtesy. If he is pleased to extend to us that courtesy I shall try to explain why this amendment is necessary. Here, Sir, the question is representation of a particular Association which is allowed to send a member to this House.

The Hon'ble Mr. MOHAMMED ALI: It is a question of representation by the Marwari Association. No such representation has been given to other organisations and I think therefore we cannot accept it. I believe that there are other Chambers of Commerce where the Marwari Chamber's interests are adequately represented. So it is possible for members of the Marwari Association to come to vote through another Chamber of Commerce who are influential and have a large following.

Mr. DEBI PROSAD KHAITAN: I think, Sir, that some statements made by the Hon'ble Minister should be corrected.

Mr. MUHAMMAD ISRAIL: On a point of order, Sir. After a matter has been fully discussed and after the debate on it has been closed, is the honourable member allowed to further discuss it?

Mr. SPEAKER: These discussions do not relate to the clause.

Mr. DEBI PROSAD KHAITAN: Mr. Speaker, I would like to explain to the Hon'ble Minister in charge of Local Self-Government that certain information of his is not correct.

Mr. SPEAKER: I hope you will not speak on a matter on which the discussion has already been closed. If you want to place anything before the Hon'ble Mr. Mohammed Ali you can do so very briefly.

Mr. DEBI PROSAD KHAITAN: Sir, we are indulging in friendly appeals. (Laughter.) I would like to correct some information conveyed to the House by the Hon'ble Minister. He has said that there are other Chambers that represent the Marwaris' interests. In that manner there are other interests represented on the Board of the Calcutta Improvement Trust but get additional representative through the Bengal Chamber of Commerce, the Muslim Chamber of Commerce, etc. But that is not so relevant as the fact that if he will look into the constitution of this House he will find that the Marwari Association has been given a special right of representation in this House. That is because there are certain— -

Mr. SPEAKER: Mr. Khaitan, you are committing the mistake which I anticipated before. You are speaking on the amendment That I am not going to allow.

Mr. DEBI PROSAD KHAITAN: You will excuse me.

Mr. SPEAKER: No. The case has been very ably put by Mr. Datta and I can assure Mr. Khaitan that though he was absent it was entrusted to a very able hand The case of the Marwari Association was represented very ably.

Mr. DHIRENDRA NATH DATTA: Sir, I forgot to mention that the Marwari Association is a commercial body

The motion of Mr. Dhirendra Nath Datta that in clause 4, in proposed sub-section (2), of section 4 after clause (e), the following new clause be inserted, namely:—

"(*ee*) a member of the Marwari Association"

was then put and a division taken with the following result.—

AYES—82.

Acharjee, Mr. Shitangshu Kanta.
Adhikari, Mr. Amulya Chandra.
Bandopadhaya, Mr. Pramatha Nath.
Banerjee, Mr. Gobindalal.
Banerjee, Mr. Sibnath.
Banerjee, Mr. Susil Kumar.
Barman, Mr. Haran Chandra.
Barman, Mr. Mohini Mohan.
Barury, Mr. Dwarka Nath.
Basu, Mr. Hemanta Kumar.
Bhandari, Mr. Charu Chandra.
Bhattacharjee, Mr. Ganendra Chandra.
Bhattacharjee, Mr. Munindra Nath.
Bhattacharyya, Mr. Shyamapada.
Birsha, Mr. Bir.
Biswas, Mr. Bhola Nath.
Biswas, Mr. Gayanath.
Chakraborty, Mr. Benode Chandra.
Chakravarty, Mr. Satish Chandra.
Chatterjee, Mr. Haripada.
Chattopadhyaya, Mr. Mihir Lal.
Chowdhury, Mr. Annada Prosad.
Das, Miss Bina.
Das, Mr. Brojomadhab.
Das, Mr. Radha Nath.
Das Gupta, Mr. Khagendra Nath.
Das Gupta, Mr. Suresh Chandra.
Dass, Mr. Kanailal.
Datta, Mr. Dhirendra Nath.
De, Mr. Kanai Lal.
Dhar, Mr. Manoranjan.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutt-Mazumdar, Mr. Niharendu.

Gayen, Mr. Arabinda.
Ghose, Mr. A. K.
Ghose, Mr. Bimal Comar.
Ghose, Mr. Jyotish Chandra.
Ghosh Chowdhury, Mr. Haran Chandra.
Guha Roy, Dr. Protap Chandra.
Gupta, Mr. J. C.
Gupta, Mr. Monoranjan.
Haldar, Mr. Kuber Chand.
Jalan, Mr. Iswar Das.
Khaitan, Mr. Debi Prosad.
Kundu, Mr. Nishitha Nath.
Lahiri, Mr. Provas Chandra.
Mahanty, Mr. Charu Chandra.
Mahtab, Sir Uday Chand, K.C.I.E., Maharajadhiraj Bahadur of Burdwan.
Maiti, Mr. Nikunja Behari.
Majhi, Mr. Nishapati.
Majumdar, Mr. Bhupati.
Mal, Mr. Iswar Chandra.
Mallick, Mr. Ashutosh.
Mandal, Mr. Annadaprasad.
Mandal, Mr. Bankubehari.
Mandal, Mr. Krishna Prasad.
Mukherji, Mr. Dhirendra Narayan.
Murarka, Mr. Basantlal.
Naskar, Mr. Ardhendu Sekhar.
Naskar, Mr. Hem Chandra.
Panja, Mr. Jadabendra Nath.
Pramanik, Mr. Purna Chandra.
Pramanik, Mr. Rajani Kanta.
Ray, Mr. Kamal Krishna.
Ray Barman, Mr. Rajani Kanta.
Roy, Mr. Dhananjoy.
Roy, Mr. Harendra Nath.
Roy, Mr. Kiran Sankar.
Roy, Mr. Ram Hari.
Sarkar, Mr. Bijoy Krishna.
Sarkar, Mr. Rajendra Nath.
Sarker, Mr. Prafulla Ranjan.
Sen, Mrs. Ashalata.
Sen, Mr. Debendra Nath.
Sen, Mr. Satindra Nath.
Sen Gupta, Mrs. Nellie.
Singha, Mr. Arun Chandra.
Singhi, Mr. Narendra Singh.
Sinha, Mr. Bimal Chandra.

NOES—111.

Abdul Ahad, Dr.
Abdul Awal, Mr.
Abdul Aziz, Maulana Md.
Abdul Aziz Munshi, Mr.
Abdul Hafiz, Mr. Mirza.
Abdul Hai, Maulana.
Abdul Hakim Mia, Mr.
Abdul Hakim Vikrampuri, Mr. Md.
Abdul Halim, Mr. Molla Mohammad.
Abdul Hamid, Mr.
Abdul Hamid, Mr. A. M.
Abdul Hannan, Mr.
Abdul Karim, Mr.
Abdul Khaleque, Mr.
Abdul Mannan, Mr. Fakir.
Abdul Momin, Mr.
Abdur Rahman, The Hon'ble Mr. A. F. M.
Abdur Rahman Khan, Mr. (*alias* Nuru Mia).
Abdur Rashid, Maulana Khondkar.
Abdus Sabur Khan, Mr.
Abdus Salam, Mr. Md.
Abul Kalam Shamsuddin, Mr.
Abul Masud, Mr. Kazi.
Abul Quasem, Mr.
Ahammad Ali, Mr. Mir.
Ahmed Ali Mridha, Mr.
Ahmed Hosain, The Hon'ble Mr.
Ahmed Kabir Chowdhury, Mr.
Akbar Ali, Maulvi.
Ali Ahmed Chowdhury, Mr.
Ali Ahmed Khan, Mr.
Anwara Khatun.
Arif Chaudhury (Dhanu Mia), Mr. Md.
Asan Ali Muktear, Mr.
Aulad Hossain Khan, Mr.
Azizur Rahman, Mr. Syed.
Badiuzzaman Muhammad Ilias, Mr.
Bafatuddin Talukdar, Mr. A. K. M.
Emaduddin Ahammad, Mr.
Eskander Ali Khan, Mr.
Fazlul Karim, Mr.
Fazlul Qadir, Mr.
Fazlur Rahman (Dacca), Mr.
Fazlur Rahman (Mymensingh), Mr.
Fazlur Rahman (Noakhali), Mr.
Gladding, Mr. D., C.I.E.
Habibul Huq, Mr. Syed.
Hafizuddin Choudhuri, Mr.
Hamiduddin Ahmed, Mr.
Haywood, Mr. R.
Husan Ara Begum.
Ilias Ali Molla, Mr.
Jasimuddin Ahmed, Mr.
Kabir Ahmed Choudhury, Mr.
Khairat Hossain, Mr.
Khuda Bukhsh, Mr. Md.
Khurram Khan Panee, Mr.
Luttfar Rahman, Mr. Dewan.
Madar Bux, Mr.
Mafizuddin Ahmed, Mr.
Mahammad Sayeed Mia, Mr.
Majibar Rahman, Maulvi.
Mandal, The Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Mr.
Martuza Reza Chowdhury, Mr.
Masiuddin Ahmed (*alias* Raja Miah), Mr.
Mazharul Haque, Mr. Abu Taiyab.
Mobarak Ali Ahmed, Mr.
Mohammad Sharif Khan, Mr.
Mohammed Ali, The Hon'ble Mr.
Mudassir Hossain, Mr.
Muhammad Habibullah Chaudhury, Mr.
Muhammad Idris, Maulvi.
Muhammad Ishaque, Mr.
Muhammad Israil, Mr.
Muhammad Quasem, Maulana Haji.
Muhammad Rafique, Mr.
Muhammad Rukonuddin, Mr.
Muhammad Siddique, Dr. Syed.
Mullick, Mr. Mukunda Behary.
Muzaffar Rahman Choudhury, Mr.
Nasarulla, K., Mr.
Nawajesh Ahmed, Mr.
Nawab Ali, Mr.
Nazir Hossain Khandkar, Mr.
Nooruddin, Mr. K.

Nurazzaman, Mr.
Osman Ali, Mr.
Osman Gani, Mr. Md.
Paniruddin Ahmed, Mr.
Pilkington, Mr. D. C. B.
Powell, Mr. J. A.
Ray, Mr. Nagendra Narayan.
Salim, Mr. S. A.
Serajal Haque, Mr. Syed.
Serajuddin Ahmed, Mr. (Midnapore).
Serajuddin Ahmed, Mr. (Gaibandha).
Serajul Islam, Mr.
Shamsuddin Ahmed, The Hon'ble Mr.
Shamsuddin Ahmed Chowdhury (*alias* Badsha Mia), Mr.
Shamsuddin Ahmed Khondkar, Mr.
Shamsuddin Sikdar, Mr. Md.
Sharfuddin Ahmad, Mr.
Stark, Mr. A. F.
Tafazzal Ali, Mr.
Tofazzel Hossain, Mr.
Walton, Mr. A. C.
Wilkinson, Mr. G.
Wordsworth, Mr. W. C., C.I.E.
Yusuf Hossain Chowdhury, Mr.
Zahur Ahmed Choudhury, Mr.

The Ayes being 82 and the Noes 111, the motion was lost.

The motion of Mr. Dhirendra Nath Datta that in clause 4 in proposed sub-section (*2*) of section 4, in line 1 of item (*iii*) of clause (*f*), for the word "four" the word "three" be substituted, was then put and lost.

The question that clause 4 stand part of the Bill was then put and agreed to.

Clause 5.

The question that clause 5 stands part of the Bill was then put and agreed to.

Clause 6.

The question that clause 6 stands part of the Bill was then put and agreed to.

Clause 7.

Mr. SPEAKER: Amendment No. 12 falls through in consequence of a previous decision.

The question that clause 7 stands part of the Bill was then put and agreed to.

Clause 8.

The question that clause 8 stands part of the Bill was then put and agreed to.

Clause 9.

Mr. SPEAKER: Amendment No. 13 also falls through in consequence of a previous decision.

The question that clause 9 stands part of the Bill was then put and agreed to.

Clause 10.

The question that clause 10 stands part of the Bill was then put and agreed to.

Clause 11.

The question that clause 11 stands part of the Bill was then put and agreed to.

Clause 12.

The question that clause 12 stands part of the Bill was then put and agreed to.

Clause 13.

The question that clause 13 stands part of the Bill was then put and agreed to.

Clause 14.

The motion of Mr. Sushil Kumar Banerjee that in clause 14, in proposed sub-section *(1)* of proposed section 20A, in line 6, for the word "four" the word "two" be substituted, was then put and lost.

The motion of Mr. Sushil Kumar Banerjee that in clause 14, in proposed sub-section *(3)* of proposed section 20A, in lines 6 and 7, for the words "shall consider the recommendations of the Howrah Committee thereon" the words "shall not accept any proposal which is not supported by a majority of the Howrah members" be substituted, was then put and lost.

The motion of Mr. A. F. Stark that in clause 14 in proposed sub-section *(6)* of proposed section 20A, for the word "Board" in the last line, the word "Chairman" be substituted, was then put and agreed to.

The motion of Mr. Sushil Kumar Banerjee that in clause 14 after proposed sub-section *(6)* of proposed section 20A, the following provisos be added, namely:—

> "Provided that a majority of the Howrah members may if they feel aggrieved at the decision of the Board in this respect appeal to the Provincial Government against the decision within 48 hours and the decision of the Provincial Government shall prevail:
>
> Provided further that on receipt of a copy of the petition of appeal the Chairman shall stay further proceedings with regard to the question until the decision of the Provincial Government is received",

was then put and lost.

The motion of Mr. Sushil Kumar Banerjee that in clause 14, in proposed sub-section *(1)* of proposed section 20B, in lines 1 and 2, the words "subject to the approval of the Board" be omitted, was then put and lost.

The question that clause 14 as amended stands part of the Bill was then put and agreed to.

Clause 15.

The question that clause 15 stands part of the Bill was then put and agreed to.

Clause 16.

The motion of Mr. Sushil Kumar Banerjee that in clause 16, for item *(2)*, the following be substituted, namely:—

> "*(2)* after the words 'a Committee' the words 'or a Sub-Committee or a member associated with the Howrah Committee under sub-section (2) of section 20A' shall be inserted; and"

was then put and agreed to.

The question that clause 16 as amended stands part of the Bill was then put and agreed to.

Clause 17.

The question that clause 17 stands part of the Bill was then put and agreed to.

Clause 18.

The question that clause 18 stands part of the Bill was then put and agreed to.

Clause 19.

The motion of Mr. D. P. Khaitan that in clause 19*(3)* *(c)*, in line 3, after the word "municipality" the words "or any other adjacent area to which the Act applies" be inserted, was then put and agreed to.

The question that clause 19 as amended stands part of the Bill was then put and agreed to.

Clause 20.

The question that clause 20 stands part of the Bill was then put and agreed to.

Clause 21.

The Hon'ble Mr. MOHAMMED ALI: Sir, may I move a short-notice amendment accepting that principle but suggesting a better draft? I would move that in clause 21, in proposed section 40A, in line 6, for the words "is complementary in its provisions to" the words "does not prejudicially affect the provisions of" be substituted.

Mr. DHIRENDRA NATH DATTA: That is already in the amendment

Mr. SPEAKER: The Hon'ble Minister wants to strike out the portion "does not clash with the provisions of or".

The Hon'ble Mr. MOHAMMED ALI: It is not necessary and does not look nice. The other portion, *i.e.*, "does not prejudicially affect the provisions of" will remain.

Mr. SUSHIL KUMAR BANERJEE: I accept the amendment.

The short-notice amendment of the Hon'ble Mr. Mohammed Ali that in clause 21, in proposed section 40A, in line 6, for the words "is complementary in its provisions to" the words "does not prejudicially affect the provisions of" be substituted, was then put and agreed to

The question that clause 21 as amended stands part of the Bill was then put and agreed to.

Clauses 22 to 34.

The question that clauses 22 to 34 stand part of the Bill was then put and agreed to.

Clause 35.

Mr. SPEAKER: The amendments on clause 35 will be taken up to-morrow.

As regards amendment No. 27 of Mr Banerjee, it seems this is out of order as it is beyond the scope of the Bill. Amendments Nos. 28 and 29 are out of order for the same reason.

Mr. A. F. STARK: On a point of order, Sir. Would you please explain why these amendments are beyond the scope of the Bill?

Mr. SPEAKER: Because the amending Bill does not touch the sections to which these amendments have been proposed.

Mr. A. F. STARK: If I may make one submission, Sir. The object of the Bill is to apply the Act to the Municipality of Howrah and for that purpose surely all the sections of the Act can be amended in the Bill so as to make them applicable to Howrah I do not quite see why all the sections of the Act will not come under review in their application to Howrah.

The Hon'ble Mr. MOHAMMED ALI: Mr. Speaker, Sir, can I move a short-notice amendment which will accept in principle both the amendments of Mr. Stark and Mr. Banerjee. My amendment runs thus:

After clause 35, the following new clause be inserted, namely:—

"35A. In section 72 of the said Act—

(*a*) In sub-section (*3*)—

(*i*) after the words 'the other assessor shall be appointed' the words 'for the purpose of all matters arising out of the operation of this Act in the Howrah Municipality or in any area in the

neighbourhood of the Howrah Municipality by the Commissioners of the said Municipality and for the purpose of all other matters' shall be inserted;

(*ii*) for the words 'default of the Corporation' the words 'default of the said Commissioners or the Corporation, as the case may be' shall be substituted.

(*b*) In sub-section (*6*) for the words and bracket 'Corporation) the Corporation or in default of' the words and bracket 'Commissioners of the Howrah Municipality or the Corporation) the said Commissioners or the Corporation, as the case may be, or in default of the said Commissioners or'' shall be substituted.

Sir, this may replace the two amendments and I think it is better drafted.

Mr. DHIRENDRA NATH DATTA: Sir, let these short-notice amendments be not admitted now, because we will not be able to apply our mind to them at once.

Mr. SPEAKER: I also think they must stand over, because they raise a very fundamental question as to the scope of the Bill. Mr. Stark has raised this question whether a section which has not been touched by the amending Bill can be modified by way of amendments in this House. So this question has got to be examined.

Mr. DHIRENDRA NATH DATTA: We must get copies of short-notice amendments, so that we would be able to apply our minds to them.

Mr. SPEAKER: Amendments Nos. 25-26, 27, 28-29 are held over. I shall put to the House those clauses on which there are no amendments leaving aside clause 35.

Clause 36.

The question that clause 36 stands part of the Bill was then put and agreed to.

Clause 37.

The question that clause 37 stands part of the Bill was then put and agreed to.

Clause 38.

The question that clause 38 stands part of the Bill was then put and agreed to.

Clause 39.

The question that clause 39 stands part of the Bill was then put and agreed to.

Clause 40.

Mr. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 40, in proposed sub-section (*3*) of proposed section 88A, in line 4, for the word "from" the words "with the consent of" be substituted.

Sir, I also beg to move that in clause 40 after proposed section 88B, the following proviso be added, namely:—

"Provided that the amount to be so contributed and paid to the Howrah Fund shall not in any year be less than one-third of the total revenue derived in the preceding year under sections 83 and 84 of the Act from the terminal tax on passengers and customs duty on jute".

Sir, I also beg to move that in clause 40, in proposed section 88D, in line 5, for the word "one-third" the word "two-thirds" be substituted.

The Hon'ble Mr. MOHAMMED ALI: Sir, I oppose all the amendments. Under the provisions of the Bill a contribution payable by the Commissioners of the Howrah Municipality is to be made in priority to all other

payments due from the commissioners except payments in respect of loans from the Provincial Government. Amendment No. 30 seeks to provide that the contribution should be payable in priority to payment of all dues except payment in respect of loans taken with the consent of the Provincial Government. Payment of loans taken from the Provincial Government should be safeguarded. It is not necessary to safeguard the payment of loans taken from others with the consent of the Provincial Government and therefore I oppose the amendment.

Secondly, Sir, it is not desirable to fix a minimum contribution from the Calcutta fund to the Howrah fund at one-third of the total revenue derived in the preceding year from the terminal tax on passengers and customs duty on jute, as it will raise the vexed question as to what part of such remuneration should be allotted to the Calcutta and Howrah Municipalities respectively. Therefore, I oppose this amendment.

As regards raising the contribution from one-third to two-thirds I oppose that amendment also.

The motion of Mr. Sushil Kumar Banerjee that in clause 40, in proposed sub-section (3) of proposed section 88A, in line 4, for the word "from" the words "with the consent of" be substituted, was then put and lost.

The motion of Mr. Sushil Kumar Banerjee that in clause 40 after proposed section 88B, the following proviso be added, namely:—

> "Provided that the amount to be so contributed and paid to the Howrah Fund shall not in any year be less than one-third of the total revenue derived in the preceding year under sections 83 and 84 of the Act from the terminal tax on passengers and customs duty on jute"

was then put and lost.

Mr. SPEAKER: The consent of the Governor has not been taken for amendment No. 34. So it is disallowed.

The question that clause 40 stands part of the Bill was then put and agreed to.

Clause 41.

Mr. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 41, in section 89, the following proviso be added, namely:—

> "Provided that no loan shall be taken for the purpose of meeting expenditure entailed in carrying out any of the provisions of this Act in the Howrah Municipality or in any area in the neighbourhood of the Howrah Municipality without the approval of the Howrah Committee."

The Hon'ble Mr. MOHAMMED ALI: Sir, I oppose this amendment.

The motion was then put and lost.

The question that clause 41 stands part of the Bill was then put and agreed to.

Clauses 42 to 47.

The question that clauses 42 to 47 stand part of the Bill was then put and agreed to.

Clause 48.

The question that clause 48 stands part of the Bill was then put and agreed to.

Adjournment.

The House was then adjourned at 5-20 p.m. till 3-30 p.m. on Tuesday, the 6th August, 1946, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 6th August, 1946, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. NURUL AMIN) in the Chair, 7 Hon'ble Ministers and 215 members.

STARRED QUESTION

(to which oral answer was given)

Regarding abolition of rent-receiving interests.

***10. Mr. ARUN CHANDRA SINGHA:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether the present Government are in agreement with the recommendations of the Land Revenue Commission and the Gurner Report thereon or with the recommendations of the Draft Post-War Plan regarding the abolition of rent-receiving interests on payment of adequate compensation?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government intend to put the recommendations into effect and, if so, when?

(*c*) Will the Hon'ble Minister be pleased to state whether it is a fact that the Government have already started survey operations in the Sunderban area?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether such operations have been started as a preliminary to the abolition of rent-receiving interests;

(*ii*) whether the Legislature has been consulted in this matter; and

(*iii*) if not, why not?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Saiyed Muazzamuddin Hosain): (*a*) Government have accepted in principle the main recommendations of the Land Revenue Commission to bring the actual cultivators into direct relation with the State by acquiring the interests of all rent-receivers.

(*b*) Necessary proposals for legislation are under consideration of Government.

(*c*) The Revisional Settlement Operation will be started in the Sundarbans in October next.

(*d*) (*i*) The ultimate objective of the proposed operation is as suggested by the honourable member.

(*ii*) and (*iii*) Revisional Settlement Operations are taken up under Chapter X of the Bengal Tenancy Act for which approval of the Legislature is not required.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us when the necessary legislation will be introduced?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: We hope to introduce it in the next budget session.

Mr. NISHITHA NATH KUNDU: In view of the fact that to complete survey and settlement operations in a district, 4 or 5 years' time is required, will the Hon'ble Minister be pleased to state whether he thinks that the time for giving effect will be about 15 years?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: According to our programme it will be completed within 15 years in the whole of Bengal.

Mr. DHIRENDRA NATH DATTA: In view of the fact that necessary legislation will be introduced in the next Budget session, will the Hon'ble Minister be pleased to consider the desirability of starting revisional settlement operation in all the districts of Bengal?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: That cannot be done, because we have not got the necessary staff. Highly technical staff is necessary for carrying on this work. For the present we have taken up three districts, namely, Sunderban areas, Faridpur and Barisal. Next year we will take up 3 or 4 more districts, and subsequently 5 or 6 other districts at a time. In this way we hope to be able to cover the whole area within 15 years, as I have already stated

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state whether immediately after the revisional settlement operation is over in the district of Faridpur and Barisal, the recommendations of the Land Revenue Commission will be given effect to in those districts?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: That cannot be done. Unless necessary legislation is got through and the consent of His Majesty the King obtained no purchase can be made.

Mr. MANORANJAN DHAR: Will the Hon'ble Minister be pleased to state whether the introduction of necessary legislation is dependent upon the completion of revisional settlement operations in all the districts

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: No.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state when the Bill will be actually drafted?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: The main provisions of the Bill are now being considered by the Cabinet.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state if it is a fact that he appointed a Committee to go through the whole question?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Only a Committee of experts was called in to examine some alternative proposals. Finally it was decided that the proposals contained in the Floud Commission Report were the best.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state who are the members of the Expert Committee?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: There was actually no Committee. Only some experts were called in.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state who were the experts?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: The late Khan Bahadur M. A. Momin, Khan Bahadur Mohammed Mahmud, Secretary, Board of Revenue, Additional Secretary, Board of Revenue,

Mr. Fawcus, Member, Board of Revenue, the late Secretary, Revenue Department, and one or two others.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state whether those gentlemen were in favour of the abolition of permanent settlement?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: They were not called in for giving their opinion as to whether permanent settlement should be abolished or not. They were asked to advise what should be the best method of acquiring zemindari rights.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if it is the idea that as soon as survey and settlement operation is completed in those three districts, the zemindaries in those districts will be acquired?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: As I have already said, legislation has got to be got through and it has to get the consent of His Majesty the King according to the Government of India Act, 1935, before actual purchase can take place. But before that all other preliminaries will be completed.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to give us some idea as to when actual acquisition will commence?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: It is difficult to say, but I think, about two years.

Mr. MANORANJAN DHAR: Will the Hon'ble Minister be pleased to state how does he reconcile the statement just made that the introduction of legislation is not dependent upon the completion of revisional settlement operations, with the answer given in (*d*)(*i*)?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Previously the honourable member had asked whether revisional settlement operations in the whole of Bengal should be finished first before any legislation is taken up. To that I said, "No". We are taking up revisional settlement operations district by district, and when operations in one set of districts will be completed another set of districts will be taken up and so on.

Mr. MANORANJAN DHAR: Is the Hon'ble Minister going to introduce piecemeal legislation?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: No, legislation will apply to the whole of Bengal.

Mr. MANORANJAN DHAR: I want to know whether piecemeal legislation will be introduced?

Mr. SPEAKER: The answer is quite clear. There will be some legislation, but revisional settlement operations will go on and the legislation will apply to those districts as soon as revisional settlement operations are completed therein.

Mr. MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state whether Government have come to any decision about the point as to whether any compensation will be paid to the rent-receivers and, if so, what is the rate of that compensation?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: No final settlement has been made as yet.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state whether Permanent Settlement should be abolished without payment of any compensation? That is the feeling of people.

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: That is the feeling of some people.

Maulvi AKBAR ALI: Will the Hon'ble Minister be pleased to state why there will be such delay as more than two years?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I cannot say when the assent of His Majesty will come from the British Government, but so far as we are concerned we expect to finish it in 9 or 10 months.

Demonstration Outside the Assembly Comopund.

Dr. SURESH CHANDRA BANERJEE: মাননীয় স্পীকার মহোদয়, প্রায় পাঁচ হাজার শ্রমিক--পুরুষ ও মেয়ে—আজ Assemblyর দ্বারদেশে এসে দাঁড়িয়েছে। তাদের ইচ্ছা তাদের যারা প্রতিনিধি তাদের কাছে তাদের দুঃখের কথা বলবে। কিন্তু পুলিশ দরজা বন্ধ করে রেখেছে--এমন কি তাদের উপর হামলা চালাচ্ছে। ফলে প্রায় সংঘর্ষ উপস্থিত হয়েছে। বড়ই দুঃখের কথা শ্রমিকগণ তাদের দুঃখ দৈন্যের কথা নিয়ে তাদের প্রতিনিধিদের কাছে আসবে, আর পুলিশ তাদের দ্বারদেশে শুধু বাধা দেবে--তা নয় তাদের উপর আক্রমণ পর্য্যন্ত করবে। ফলে অবস্থা যা হয়েছে তাতে বহু সদস্য, এই Houseএর বহু সদস্য আজকে এখানে আসতে পারেন নাই। আজ যে সভাগৃহে কম সভ্য উপস্থিত হয়েছে ইহাই তাহার প্রধান কারণ। এই অবস্থায় যে পর্য্যন্ত এই জনগণের কথা আমাদের এই পরিষদ না শুনতে পারে, ততক্ষণ পর্য্যন্ত আমার মতে এই পরিষদের কাজ চালান অসম্ভব। আমি মাননীয় স্পীকার মহোদয়ের মারফৎ Leader of the Houseকে অনুরোধ করছি তিনি দয়া করে তাদের সঙ্গে একবার দেখা করুন--তাদের দুঃখ দৈন্যের কথা শুনুন এবং তাদের সম্বন্ধে কি করা সম্ভব তা তাদের গিয়ে বলে দিন। কিছুদিন আগে ছাত্রেরা যখন এইভাবে এখানে এসেছিল--তখন Leader of the House সুরাবর্দ্দী সাহেব তাদের সঙ্গে দেখা করেছিলেন, তাদের আশ্বাস দিয়েছিলেন ১৫ই আগষ্টের মধ্যে এ সম্বন্ধে যা করবার তা করবেন। তখন তারা আশ্বস্ত হয়ে চলে যায়। আমার বিশ্বাস Leader of the House আজও যদি নিজে গিয়ে তাদের বুঝিয়ে কথা বলেন ও আশ্বাস দেন তাহলে তারা আনন্দচিত্তে গৃহে ফিরে যাবে। তাদের দুঃখের কথা আমি যতটা জানি আমি একটা মূলতুবী প্রস্তাবে......

Mr. ABDUL KARIM: On a point of information, Sir. Is he speaking on a point of order or making a statement?

Dr. SURESH CHANDRA BANERJEE: I am making a statement.

Mr. SPEAKER: I thought you raised some point of order. If you are making a statement, I must tell you that you cannot do that. It is a privilege of the Leader of the Opposition and of the Leader of the House, to do so and not yours.

Mr. KIRAN SANKAR ROY: I am here, Sir, and with your permission I shall make a statement.

Mr. ABDUS SABUR KHAN: Without going into the merits of the case I can inform you, Sir,—

Mr. SPEAKER: I am not going to allow any statement to be made by any member other than the Leader of the Opposition at this stage.

Mr. ABDUS SABUR KHAN: I must tell you, Sir, that the Police did not allow even the female members to come in and we had to beg of them to allow us to get inside. My appeal to you, Sir, is that you will make adequate arrangements for keeping the gates open so that members of the House can enter without any trouble.

Mr. KIRAN SANKAR ROY: I am sorry I have been late in coming to the Assembly. In trying to enter into the Assembly, we found a crowd collected at every gate. We entered by the northern gate. There was the Chief Whip of our party and also several members belonging to our party and several others belonging to other parties. But what is serious is that a member of this House has been arrested within the compound of this House and even now he is under arrest. (Several voices: Who is he?) Mr. Jyoti Basu has been arrested. There was a scuffle and some of our members and some of the Government members also have been manhandled. I wish, Sir, that this matter be settled immediately. We cannot sit here when a member of this House is arrested within the compound of the Assembly House. I wish you would intervene in the matter; otherwise it will complicate the situation further and lead to grave consequences.

Dr. SURESH CHANDRA BANERJEE: Mr. Speaker, আমি কোন নূতন কথা বলবো না। আমাদের leader যাহা বলেছেন তার further explanationএ আমি বলব। মাননীয় Speaker মহোদয় যে ব্যাপার নিয়ে এখানে গোলমাল চলেছে.......

Mr. HAMIDUDDIN AHMAD: Am I to understand that you have given him permission to make a statement?

Mr. SPEAKER: No, I have not. Dr Banerjee, will you please sit down? Mr. Roy, I shall make enquiries and let you know some time after.

Mr. NISHITHA NATH KUNDU: We implore and beg of you, Sir, to adjourn the House and institute an enquiry immediately.

Mr. SPEAKER: I shall have to ascertain whether any member has been illegally arrested or manhandled within the Assembly compound.

Mr. J. C. GUPTA: It is wholly illegal and no member of the Assembly can be arrested while coming to the Assembly or going out. No enquiry is necessary. It is simply illegal because it is a violation of privilege of the members of the Assembly.

Mr. SPEAKER: Will you refer to the relevant section which deals with this matter? Suppose a member commits a murder and says that he is going to the Assembly. Will he enjoy the privilege of a member of not being arrested? Suppose I commit a murder on my way from Mymensingh to Calcutta, saying that I am going to attend the Assembly: should I enjoy that privilege?

Mr. J. C. GUPTA: If there is a criminal offence for which a warrant from a court of law has been issued, he can be arrested, but the police cannot arrest a member of this House without the order of a court.

Mr. NISHITHA NATH KUNDU: Sir; the question which you have raised is a purely hypothetical question. The fact is that Mr. Jyoti Basu, a member of this House, has been arrested and he has not committed any murder.

Mr. SPEAKER: I wanted to know from Mr. J. C. Gupta, if there is any rule to the effect that when a member is arrested, the Speaker has got to be consulted.

Mr. J. C. GUPTA: In the precincts of the Assembly no member can be arrested without consulting you

Mr. MUHAMMAD RAFIQUE: Have you given any order, Sir, not to allow any spectator to come in? The policemen at the gate said that he had got specific order from the Speaker not to allow even the members of the House to come in. I want to know if you have given any order to

that effect because there is a specific complaint made and your name has been taken in communicating that order.

Mr. SPEAKER: No member can be stopped from coming to the Assembly but probably the police has done it for the safety of the members.

Mr. ABDUL MOMIN: Sir, may I request you to ask the Secretary of the Assembly to go there and find out the reasons why although Mr. Basu has been arrested, there has been so much scuffle outside the gates.

Mr. SPEAKER: Yes, I am sending him just now.

Mr. ISWAR DAS JALAN: Sir, I am quoting May's Parliamentary Practice—I am citing an authority, which is as follows: while dealing with the privilege from arrest it is said: "The reason of their privilege is that members of the House of Commons may freely attend the public affairs of that House without disturbance or interruption."

Sir, I have not been able to find out within the short limit of time more authorities upon this proposition. But I was there and the reason which was assigned by the police was this. The police said that this gentleman had said "bloody hell". He wanted to come in and the police officer—I do not know who he was—said that he had said "bloody hell" and this is the offence upon which a member coming to this House has been arrested and within the compound of this House without reference to you. This is a very serious matter and I hope you will be pleased to consider it.

Mr. SPEAKER: Yes, I have just sent the Secretary for an enquiry.

Mr. J. C. GUPTA: Will you kindly send for the draft Privilege Bill of this House? You will also find a provision there—

Mr. SPEAKER: This has not been passed into a statute

The Hon'ble Mr. H. S. SUHRAWARDY: Having heard of an unfortunate incident which took place at the gates, I have tried to make some kind of a preliminary investigation, as you call it, or asked as to what did take place. I do not think it is necessary for me to place before you the version of the police officer as to what did take place. I think that is a matter which you might enquire in your own discretion, but they have brought a certain case for which according to them they think they are justified in having placed the honourable member under arrest for the time being. (A VOICE: And assault him.) (Cries of "shame" "shame" from Opposition benches.) I have not, as I have said, the least knowledge of what did actually take place and I cannot vouch for the correctness of the version. I believe, Sir, that it is your intention to make an enquiry into the matter and I hope that you will do so at an early opportunity.

Mr. KIRAN SANKAR ROY: Mr. Speaker, may I say this. The honourable member is still being detained. He has not only been arrested but he has been hit. We were eye-witnesses and I asked the Superintendent in charge or the Assistant Superintendent—I do not know what he is—and Mr. Basu to come to you and have it settled. The Officer-in-charge refused to come to the Speaker. I respectfully submit to you that you will kindly adjourn the House for a little while and settle the matter. It can be settled in 5 minutes if you will intervene, otherwise it will not be possible for us in this atmosphere to carry on the debate.

Mr. SPEAKER: I cannot take the responsibility of settling such matters. I will certainly have an enquiry made and then report the result of the enquiry to the House.

The Hon'ble Mr. H. S. SUHRAWARDY: If I may presume to say so, I agree to a very large extent to what the Leader of the Opposition has said. I do believe that matters have not gone to that extent that they cannot be adjusted if you, as the custodian of this Parliament, were prepared to intervene. If you, Sir, were at the present moment to take the matter in hand, I think we can arrive at a fairly satisfactory solution. I do not know whether it is necessary to suspend the working of this House (cries of "yes" "yes" from Opposition benches). I think it can go on.

Mr. J. C. GUPTA: Adjourn the House at least for 10 minutes.

The Hon'ble Mr. H. S. SUHRAWARDY: It is up to you, Sir. If you think it necessary to do so, you may do it.

Mr. J. C. GUPTA: On a similar occasion previously, the House was adjourned for 10 minutes.

Mr. AHMED ALI MRIDHA: May I know, now that the Hon'ble Minister has come, whether the member concerned has already been released or not?

The Hon'ble Mr. H. S. SUHRAWARDY: No, not yet.

Mr. BIMAL COMAR GHOSE: Sir, as the Leader of the House and the Leader of the Opposition have both agreed——

Mr. SPEAKER: Let us wait. Mr. Afzal is going.

Mr. AHMED ALI MRIDHA: Sir, outside the gate more than dozen members were waiting and the gate was altogether blocked. The honourable members, received a very shabby treatment from the police officer. After much entreaty all of them have been allowed to get inside. After that one of our brethern was arrested there. Therefore, I say that disciplinary action should be taken against the officer who has treated the members so shabbily and who has arrested one of our fellow brethren.

Mr. ABDUS SABUR KHAN: Sir, before any enquiry takes place, will you kindly take necessary steps to set that member free?

Mr. AHMED ALI MRIDHA: Sir, I came to this House a long time before the sitting and I had been in the southern verandah in the first floor. From there I saw many M.L.As. being placed under restraint at the southern gate and the gate was shut against them. They could not enter, of course I saw many members of the public who had come for agitation were also standing behind the bars and the police—rather I must call them dulls—were standing inside. Although entreaties were being made by members, they were not allowed to enter. After much higgling, permission was given. I tell you that even lady M.L.As. were put under restraint. After a while I had to go to the northern gate to pick up my guests. I saw more than a dozen members were restrained there. The gate was blocked. After much higgling and many entreaties the gate was opened and the honourable members were allowed to come in. Mr. Kiran Sankar Roy was there. Mr. Dhiren Mukherjee was also there and Mr. Jyoti Basu was arrested. All these things were visible. In the conduct of the M.L.As. there was nothing which called for violence. My friend did not commit any cognizable offence. He did not commit any offence which was not bailable, but he possibly made some talk which was not palatable to the police and for that alone he was arrested.

Mr. SPEAKER: As I have already said, I am making an enquiry.

Mr. AHMED ALI MRIDHA: He has been placed unjustly under arrest. Under these circumstances I would request you to take steps to set at liberty the member concerned.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Sir, may we know why all these doors were closed?

The Hon'ble Mr. MOHAMMED ALI: Sir, may I intervene for a moment? You have seen the feelings of this House. Strictly as a member of this House, I feel that when a member, a colleague of ours has been arrested, there is natural resentment from all sides of this House. The Leader of the Opposition has made a request and I join with him in that request that you, Sir, will kindly adjourn the House for about 10 minutes so that you can take up the matter personally yourself, Sir.

Mr. SPEAKER: Do you think that ten minutes is sufficient to settle such a matter?

The Hon'ble Mr. MOHAMMED ALI: I suggest that to save a discussion on the floor of the House.

Mr. ABDUS SABUR KHAN: The member should be released immediately.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: The police should be removed. Who authorised the police to close the doors?

(At this stage the House was adjourned for 15 minutes.)

(After adjournment.)

The Hon'ble Mr. H. S. SUHRAWARDY: Mr Speaker, Sir, I am happy to say that a very unfortunate incident which took place within the precincts of the Assembly has been terminated for the time being. An honourable member of this House was placed under arrest. He is no more under arrest and the officer concerned has apologised to him

I am undertaking to make an enquiry into the matter myself and I shall take whatever steps are necessary after I have completed the enquiry in the interest of justice.

Mr. ABDUS SABUR KHAN: Will he be suspended before the enquiry?

Mr. JYOTI BASU: First of all I should like to know in how many days the enquiry will be completed, because there are hundreds outside who are asking us what date the Chief Minister will fix for finishing the enquiry. Secondly, it is an incident not only concerning this matter, but there is a background behind it. As the Chief Minister knows the Muslim League has already passed three resolutions against this officer. Not only about this incident but about this officer particularly an enquiry has got to be made by the Chief Minister.

The Hon'ble Mr. H. S. SUHRAWARDY: I am aware of the background of the incident and I am also aware of the resolution to which my friend refers. The enquiry will be confined of course to this incident, but as he is a Government officer, all the incidents are before us. Possibly honourable members know, I shall have to leave for Delhi to-morrow and I expect to be in this House again on the 13th. When I am here on the 13th, I shall take up the enquiry at once and I hope that by the 17th of this month, if not by the 15th, the enquiry will be terminated. I will not allow matters to slide.

Mr. KIRAN SANKAR ROY: Mr. Speaker, Sir, there is one other matter which requires clearing. We were informed by the police officers stationed at the gate that the gates were closed under your order. And according to your order nobody, not even the members of the Assembly, were to be admitted. I refuse to believe such a statement, but still as that statement has been made by the police officer, it would be better, Sir, if you would kindly clear up that matter.

Mr. SPEAKER: Ladies and gentlemen, you are aware that an unhappy incident took place today when the House was sitting. When the incident was mentioned to me first I could not believe that an honourable member of this House could have been arrested by the police within the compound of this House and that without reference to the Speaker. But when it was supported by a large number of members from all sides of the House and when the members asked me to enquire into the matter by adjourning the House for sometime, I adjourned the House for 15 minutes. I am sorry, the matter could not be settled within that time. So we are reassembling after over an hour, but you will be glad to learn that the delay in reassembling has been amply compensated by a happy settlement of the incident. I hope there will be no more discussion on this matter in this House today; but I cannot leave this matter without referring to the tactless and indiscreet manner in which the police acted. The police had no authority from me to prevent the members from coming in the Assembly House and if anybody has said so that is a lie. (Cries of "hear, hear" from the Opposition Benches.) I hope Government will take note of it and will issue necessary instructions to that effect. It is my bounden duty to take such measures with the help of the members belonging to the various sections of this House to prevent similar incidents in future and to maintain and enhance the power, dignity and prestige of this House.

Adjournment.

The House was then adjourned at 6-23 p.m. till 3-30 p.m. on Wednesday, the 7th August, 1946, in the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 7th August, 1946, at 3-30 p.m.

Present:

Mr. Deputy Speaker (Mr. TAFAZZAL ALI) in the Chair, 3 Hon'ble Ministers and 214 members.

STARRED QUESTION

(to which oral answer was given)

Eviction and resettlement of tenants at Char Nawapara in Ranaghat subdivision.

*11. **Mr. SHYAMAPADA BHATTACHARJEE:** (*a*) Is the Hon'ble Minister in charge of the Department of Land and Land Revenue aware that the public of Bengal have been agitated over the action of the district authorities of Nadia in connection with the eviction and resettlement of a number of tenants from and on some *khas mahal* land at Char Nawapara in the Ranaghat subdivision of the district?

(*b*) Is it a fact that a number of Hindu tenants of the place have been given notices of ejectment from their holdings and measures are being taken to oust them from their land?

(*c*) Is it a fact that a number of persons from East Bengal side have been or are sought to be settled on the land at the disposal of Government on Char Nawapara?

(*d*) Is it a fact that discriminatory treatment is being or has been meted out to Muslims from East Bengal seeking to settle on such land?

(*e*) Will the Hon'ble Minister be pleased to state what steps have so far been taken or are contemplated to be taken to ensure that no hardship may be caused to old tenants of Char Nawapara and that the just claims of Hindu cultivators may not be overlooked?

MINISTER in charge of the DEPARTMENT of LAND and LAND REVENUE (the Hon'ble Mr. Saiyed Muazzamuddin Hosain): (*a*) There was no province-wide agitation. Certain statements appeared in some sections of the Press making allegations which on enquiry were found groundless.

(*b*) No notice of ejectment was issued. The people of the neighbouring villages trespassed into Government *khas mahal* lands at Char Nawapara and made unauthorised cultivation. Proceedings having been started against them in courts, some voluntarily quitted the lands and others took settlement.

(*c*) The people with whom some of the *khas mahal* lands have been settled are the homeless *khas mahal* tenants from diluviated Char Golapnagar in Kushtia subdivision in Nadia district. They might originally belong to Eastern Bengal; but were settled tenants at Golapnagar of 35 to 40 years' standing.

(*d*) In view of the extreme distress of the *khas mahal* tenants whose houses and lands had been washed away by the Padma, the *salami* was realised from them at a reduced rate.

(e) Action is being taken by the local officers on the lines indicated by the Commissioner of the Presidency Division, after holding local enquiry in the presence of all parties concerned.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state as to what are the lines of recommendation indicated by the Commissioner of the Presidency Division for the settlement of these lands, as arising out of his answer (b)?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: The Commissioner's report has been printed, and it can be had from the Government Press Depot.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to give a brief indication as to what are the lines of recommendation of the Commissioner, Presidency Division, for the settlement of these lands?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I can only speak from memory; so I will be very brief and I am not sure whether that will be absolutely correct. All that I can say is that the Commissioner of the Presidency Division has laid down certain definite principles that there should be an enquiry in respect of every disputed land. It should be found out whether the person claiming possession has been in actual possession or not. It should also be found out whether he has got any legal right or not. If he has, he should be left there. If he hasn't, he should be asked to vacate but if he did not vacate, he should be evicted through Civil Court and not by instituting trespass case in a Criminal Court

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state if preference will be given to old occupants while re-settling these lands even if occupancy may have changed?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: The old tenants must have preference. They will not be ousted at all.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether in the case of those who have no legal right but are prepared to take a settlement, preference will be given to them in consideration of the fact that they have been occupying the land?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: No consideration will be shown to trespassers The idea is to settle lands with tenants from diluviated Char Gopalnagar.

Mr. BIMAL COMAR GHOSH: Will the Hon'ble Minister be pleased to state as to when the people of the neighbouring villages had trespassed into the Government *khas mahal* lands?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: They had been gradually trespassing.

Mr. BIMAL COMAR GHOSH: Will the Hon'ble Minister be pleased to state since when?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I cannot say offhand. I want notice.

Mr. BIMAL COMAR GHOSH: Will the Hon'ble Minister be pleased to state why no action was taken so long.

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I cannot say.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state for how many years the trespass has been going on?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I cannot say. It may have been going on for 2 years, 5 years, 10 years or 15 years.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble be pleased to state whether one or two newspapers made allegations or many?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I think some "nationalist" papers.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us if any *khas mahal* land was settled with any person before the year 1945?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: That is very vague I cannot answer.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state if any *khas mahal* land in Char Nawapara was settled with any person before 1945?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Without notice I cannot say.

Dr. A. M. MALIK: Will the Hon'ble Minister be pleased to state if the Hindu tenants of *khas mahal* lands who were formerly keeping those lands, were given preference, and on their refusal the distressed people of Char Gopalnagar who lost their homes were given chance?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I think so. They were asked to pay *salami* and take settlement, and when some of them refused some of these lands were settled like this.

Dr. A. M. MALIK: Will the Hon'ble Minister be pleased to state if it is a fact that even if some men from Eastern Bengal are given a chance to occupy, are the people of Eastern Bengal, who are also Bengalees, debarred from getting their places if they have got no home in other place?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Certainly not.

Mr. NISHITHA NATH KUNDU: With reference to answer (*b*), viz., proceedings having been started, etc., will the Hon'ble Minister be pleased to state what was the nature of the proceedings that were started, and with what object?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Some criminal trespass cases were started

Mr. MIHIR LAL CHATTOPADHYAY: Will the Hon'ble Minister be pleased to state when did it dawn upon the Government that those people who were occupying these lands for months and years were considered to be trespassers?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: When the report came to the Collector that they were trespassers.

Mr. MIHIR LAL CHATTOPADHYAY: Was it considered during the present regime that these people were trespassers?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: It was known from before.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state when the first proceedings were taken?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I want notice.

Mr. ABDUS SABUR KHAN: Will the Hon'ble Minister be pleased to state if at all any consideration should be extended to those tenants who entered into an unholy alliance for keeping these lands in an illegal manner?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I do not think it requires a reply.

Mr. DEPUTY SPEAKER: It is of a hypothetical nature. I do not allow this question.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state when this *char* land became fit for cultivation?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I want notice.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state what does he mean by trespass?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: It is an offence under section 447 of the Criminal Procedure Code.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state when the first proceedings in respect of this land were taken up by Government?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: That was long before the assumption of office by this Ministry.

Mr. NISHITHA NATH KUNDU: With reference to answer (*c*) does the Hon'ble Minister think it desirable to place the report and result of the enquiry held by the Divisional Commissioner?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: That is on sale, as I have already said. Anybody can purchase it from the Government Book Depot.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Is there any difference in policy between this place and other places?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: No, certainly not.

Mr. BIMAL COMAR GHOSE: With reference to the answer given that certain allegations were made only in certain nationalist papers, will the Hon'ble Minister be pleased to state whether he includes in the list of nationalist papers *Azad*, *Star of India* and *Morning News*?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: No, Sir.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state what was the actual rate of *salami* and what is the reduced rate of *salami*?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I want notice.

Mr. SURESH CHANDRA DAS GUPTA : মাননীয় মন্ত্রীমহাশয় তাঁর উত্তরে বলেছেন যে পূর্ব্বে যারা trespassers বলে পরিগণিত হয়েছে এই সেলামী তাদের কাছে চাওয়া হয় এবং যখন তারা দেয় না, তখন পরে নূতন লোকের কাছ থেকে সেলামী নিয়ে পত্তনী দেওয়া হয়েছে। মাননীয় মন্ত্রী মহাশয় অনুগ্রহ করে বলবেন কি পূর্ব্বে যারা ছিল তাদের কাছ থেকে কি হারে চাওয়া হয়েছিল এবং পরের লোককেই বা কি হারে দেওয়া হয়েছে? এবং পূর্ব্বের লোকের কাছে বলা হয়েছে কি না যে নিম্ন হারে জমি দিলে তোমাদের জমি দেওয়া হবে?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: They did not deserve it: they were trespassers.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state how many were considered to be trespassers and how many voluntarily quitted and how many took the settlement?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I want notice.

Mr. BENODE CHANDRA CHAKRABORTY: মাননীয় মন্ত্রিমহাশয় জবাব দিয়াছেন: "Proceedings having been started against them in courts, some voluntarily quitted the lands and others took settlement".

এর পূর্ব্বে কোন রকম সতর্কতামূলক ব্যবস্থা করা হয়েছিল কি না এবং তাহাদিগকে সরিয়ে দেবার পূর্ব্বে কোন রকম জানান হয়েছিল কি না, এবং সরাবার কালে তাদের প্রতি কোন রকম জোর জুলুম করা হয়েছিল কি না?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Certainly not. Legal proceedings were adopted. At first notices were issued on them to take settlement on the lands which were in their possession, but they did not come forward to take settlement and so legal proceedings were started against them.

Mr. DEPUTY SPEAKER: We have devoted sufficient time to this question, and the question is now over.

Mr. NIHARENDU DUTT-MAZUMDAR: This being the only question to-day, may we have a little more time out of the one hour meant for questions.

Mr. DEPUTY SPEAKER: Do you want any more questions to be put?

Mr. NIHARENDU DUTT-MAZUMDAR: Yes, Sir

Mr. DEPUTY SPEAKER: All right. I allow two or three minutes more.

Mr. BENODE CHANDRA CHAKRABORTY: মাননীয় মন্ত্রীমহাশয় যা বলেছেন যে এর পরে অনেকে বন্দোবস্ত নিয়েছিল এবং এই প্রশ্নের উত্তর তিনি যাহা দিয়াছেন তাতে কি অসামঞ্জস্য হ'ল না?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: মোটেই না।

Mr. DEPUTY SPEAKER: I do not allow this question: it is a matter of opinion.

Mr. NIHARENDU DUTT-MAZUMDAR: With reference to the answer that no notice of ejectment was issued, does it refer to the persons who were in occupation of those lands?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Yes.

Mr. NIHARENDU DUTT-MAZUMDAR: Just in the previous answer in reply to the question of my friend here the Hon'ble Minister stated that legal proceedings were taken and no separate notices were given.

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: They were asked to take settlement on payment of *salami* and on refusal criminal proceedings were instituted.

Mr. NIHARENDU DUTT-MAZUMDAR: Do we understand that in those cases where the persons who were in occupation and who were prepared to take settlement, their cases would be considered by Government and they would be resettled?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: The cases of those who were prepared to take settlement were considered and they took settlement.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state what is the actual number of old tenants with whom land was settled?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: I want notice.

GOVERNMENT BILL.

The Calcutta Improvement (Howrah Amendment) Bill, 1946.

Clause 35.

Mr. DEPUTY SPEAKER: Amendment Nos. 25-26 will be taken up.

Mr. A. F. STARK: Sir, if the Hon'ble Minister moves his amendment No. 47, it will not be necessary for us to move our amendment.

The Hon'ble Mr. MOHAMMED ALI: You mean 48?

Mr. A. F. STARK: No, 47.

Mr. DEPUTY SPEAKER: Amendment Nos. 25-26 not moved.

Mr. A. F. STARK: I did not say, not moved, Sir. What I tried to explain is that amendment No. 47 which has been tabled in the name of the Hon'ble Minister will meet the point in our amendment No. 25

The Hon'ble Mr. MOHAMMED ALI: Is it No. 47 or 48?

Mr. A. F. STARK: I am sorry. It is 48.

The Hon'ble Mr. MOHAMMED ALI: Sir, I beg to move that in clause 35, in proposed section 67C, after clause (*b*) of the proviso to sub-section (*1*) the following be added, namely:—

"and

(*c*) if any outfall works, pumping works, sewage disposal works, sewers, drains or other constructions are, with or without any land acquired by the Board in connection therewith, transferred to vest in the Commissioners of any municipality other than the Howrah Municipality, the transfer shall be on such terms and subject to the payment of such compensation, if any, to the Howrah Fund as may be determined by the Provincial Government."

Sir, I accept the principle enunciated in the amendment which is proposed to be moved by Mr. Wilkinson or Mr. Stark, but I have suggested an improved draft I hope the House will accept it.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister please state what is the implication of amendment No. 48?

The Hon'ble Mr. MOHAMMED ALI: The implication is this. After the extension of the provisions of the Calcutta Improvement Act to the Howrah Municipality and the neighbourhood of the Howrah Municipality, if any work has been undertaken by the Improvement Trust and if it is proposed at any subsequent time to transfer any of those works—pumping work, sewage disposal work or any other work which has been enumerated in the proposed amendment—then provision is made that the municipality to which the work is transferred will be liable to pay a certain amount of money as the cost of the work to the Howrah Municipality. That is the underlying idea of the proposed amendment.

Mr. CHARU CHANDRA BHANDARI: Sir, by accepting this amendment, an anomalous position will be created because the terms on which transfer will be made have been enumerated above, that is, the transfer is to be made on the condition that the municipality to which the transfer is to be made will be responsible for the upkeep and maintenance of those works and the municipality concerned will bear the recurring cost of maintenance. Again, in this amendment it is said that it will be transferred on the terms to be settled.

Mr. DEPUTY SPEAKER: Are you opposing the amendment or raising a point of order?

Mr. CHARU CHANDRA BHANDARI: I am opposing the amendment. An anomalous position will be created because in the main section it is said that the transfer will be made on condition that the municipality to which the transfer will be made will be responsible for the upkeep of the work and it will bear the recurring cost of the maintenance of the work. But in this amendment it is said that the transfer will be made on the terms as settled by the Provincial Government Now, if the terms settled be inconsistent with those terms, then what happens?

The Hon'ble Mr. MOHAMMED ALI: The question of inconsistency does not arise Do you say it is consistent with the provisions of the Act?

Mr. CHARU CHANDRA BHANDARI: No, with the provisions of section 67(*b*) There it is stipulated that the transfer will be made on condition that the municipality concerned will be responsible for the upkeep of the work and it will bear the recurring cost of the maintenance of the work. But this may be inconsistent with the terms which the Provincial Government propose to settle

Again, as regards the question of compensation, the spirit underlying these improvement works is quite inconsistent with taking any compensation from any municipality because where the municipality are financially strong, they would have themselves taken up such projects and executed them. But in this case, it is proposed that the works should be transferred to them on condition that they will be responsible for the upkeep and they will bear the recurring cost of maintenance, but if any compensation be demanded of them, they will not agree to accept the transfer. In that case an anomalous position will be created because in that case the Improvement Trust, that is the Board, will be saddled with the recurring cost of maintenance of the works. So, I think this amendment will only create an anomalous position by the transfer of works to any municipality other than the Howrah Municipality because if they do not accept the transfer on that condition on payment of compensation for the works, they may not undertake to bear the recurring cost for maintenance of the works, otherwise why should they come forward to pay the compensation? In that case they would have themselves taken up such schemes and executed them and the spirit underlying these improvement works does not justify or demand any compensation from any municipality other than the Howrah Municipality If that municipality other than the Howrah Municipality does not come forward to accept the transfer, in that case an anomalous position will be created because in that case there will be no transfer and the Improvement Trust or the Board will be saddled with the recurring cost of maintenance for ever without getting any result. So, I oppose this amendment.

Mr. DHIRENDRA NATH DATTA: Mr. Deputy Speaker, I want to make the position clear. If the outfall works fall in any municipality other than the Howrah Municipality, then the transfer takes place. In transfer there are two contracting parties. The transferor will be the Board and the transferee will be the municipality other than the Howrah Municipality. In clause 67(*c*) it has been laid down that the other municipality shall be responsible for the upkeep and maintenance of these outfall works.

Then, Sir, if the other municipality is called upon to pay a certain amount by way of compensation, they may not agree, that is my friend's contention, because they may feel that these outfall works, the pumping works and sewage disposal works do not benefit them to a large extent. Under the Act, they are responsible for the upkeep and management but they may not agree to the payment of a certain compensation money. In view of that fact they may feel that these pumping works will not benefit them and if they do not

agree to the payment of the compensation money, as there are two contracting parties—the transferor the Board and the transferee the municipality other than the Howrah Municipality—then an anomaly is bound to arise. In view of these facts, I oppose this amendment. There is absolutely no necessity for this amendment. It is clear that the municipality other than the Howrah Municipality in which the pumping works are created will be held responsible for the upkeep, management and, it will appear, for the future cost of these works, as laid down in section 67C. This amendment is absolutely unnecessary and I oppose it.

The Hon'ble Mr. MOHAMMED ALI: Mr. Deputy Speaker, Sir, I would like to explain the position. The position is this that this amendment intends to provide that if any part of any work—outfall scheme or pumping project or works of that nature—is transferred to any other municipality other than the Howrah Municipality, the transfer shall be on such terms and subject to the payment of such compensation, if any, etc. The honourable member did not pay attention to the words "if any". It is not necessary that when the work is transferred it will be always on the basis of payment of compensation. There may be cases of transfer without any compensation. Now, Sir, the Howrah Municipality is excluded from the operation of this amendment, because the Howrah Municipality will be contributing towards the scheme. There is provision in this amending Bill for payment of a certain amount of money from the fund of the Howrah Municipality. If any part of the scheme is transferred to the Howrah Municipality for maintenance, the Howrah Municipality will not be called upon to pay any compensation towards the capital outlay. If the work happens to be within the jurisdiction of any municipality other than the Howrah Municipality, then certainly the maintenance cannot be entrusted to the Howrah Municipality, because it may be situated outside the jurisdiction of the Howrah Municipality. If the maintenance is to vest in that municipality, then the responsibility has to be undertaken by that municipality. The honourable member has pointed out that if the municipality had been in a position to pay for the cost of the scheme, then they could have undertaken the scheme themselves. It would not have been necessary for the Improvement Trust to take it over and to make it over to them. It is not provided that the entire cost of the scheme will be realised. It is a matter which will be taken into consideration—the financial position and the ability of the municipality to pay for the maintenance will certainly be taken into consideration by Government in assessing the amount of compensation which the municipality is to pay towards capital outlay. It may be 5 per cent. or it may be 10 per cent. It need not be cent. per cent. I am sure it will certainly not be cent. per cent. Therefore, that question which the honourable member has raised in this House does not arise. The honourable member will realise that if the Improvement Trust makes over some part of the scheme to a municipality for maintenance, they would do so with their consent. None would propose to transfer any part of this scheme to a municipality for maintenance unless that municipality is a consenting party. So for the operation of this amendment consent of both the transferor and the transferee will be necessary. Without that it is not proposed that the work of maintenance will be thrust on the unwilling shoulders of any municipality. Therefore, I hope the House will accept this amendment.

Mr. SURESH CHANDRA DAS GUPTA: মাননীয় মন্ত্রীমহাশয়কে একটা কথা বলতে চাই যে আইনের ব্যাখ্যায় এই কথা আছে—আইন সভায় যে সমস্ত কথাবার্ত্তা হয় সেটা নিয়ে আদালতে বিচার করা চলবে না। আজকের দিনে এই কথা বলে গেলেন--এই Municipality ও অন্য Municipalityর দুজনের কথাবার্ত্তা শুনে compensation ঠিক করা হবে। কিন্তু আইনের মধ্যে যদি স্পষ্ট ভাষায় এ সম্বন্ধে কোন ব্যবস্থা না থাকে তাহ'লে আইনের ভাষা ব্যাখ্যা করবার জন্য যে সব পুস্তক আছে—তার মধ্যে এই সকল কথা যা বলা হয়--আপনাদের সদিচ্ছা থাকলেও তা কোন আদালতে ব্যবহৃত হতে পারবে না। সুতরাং ভাষায় যদি স্পষ্ট করে তা না বলেন এবং আদালতে যদি সেই ব্যাপার যায় তখন তার কোন মূল্য থাকবে না।

এই জন্যই চারু বাবু ও ধীরেন বাবু যে কথা বলেছেন এ সম্বন্ধে বিচার করা হোক যাতে ভবিষ্যতে আদালতে গেলে এই সম্বন্ধে ব্যবস্থা হবে। তার থেকে সাবধানতা অবলম্বনের জন্য স্পষ্ট ভাষা ব্যবহৃত করতে হবে।

Mr. DHIRENDRA NATH DATTA: You cannot force any municipality to accept any term which is not in the Act.

The Hon'ble Mr. MOHAMMED ALI: It is not intended to thrust the responsibility of maintenance of any scheme unless the municipality is agreeable and willing to undertake the responsibility. I do not think why the honourable member foresees such a contingency. Such a contingency may never materialise.

Mr. DHIRENDRA NATH DATTA: In the Act itself nothing can remain uncertain You cannot force any party to agree to any term which is not laid down clearly in the Act itself. If the term is not in the Act, you will find difficulties in interpreting the law. I ask the Secretaries there who are experts to look into the matter very carefully. From my experience as a lawyer I can tell you that we always find difficulty in interpreting such laws and that is why the Bengal law is called a bad law.

Mr. CHARU CHANDRA BHANDARI: Does the term "compensation" as contemplated in this amendment mean compensation for the construction of the works and acquisition of land?

The Hon'ble Mr. MOHAMMED ALI: "Compensation" means a part contribution towards the total capital outlay.

Mr. CHARU CHANDRA BHANDARI: So part of the capital outlay should be the meaning?

The Hon'ble Mr. MOHAMMED ALI: Yes, that is meant thereby. From the words "if any" it does not necessarily follow that there will not be any compensation The whole thing may be done by the Improvement Trust without giving any compensation to the municipality. This is provided by the inclusion of the words "if any" It is not mandatory that compensation will have to be paid by the municipality.

Mr. ANNADAPRASAD CHOWDHURY: May I point out one thing? It is stated in the amendment that compensation has to be determined by the Provincial Government How does the question of parties come here?

Mr. A. F. STARK: Mr Deputy Speaker, Sir, may I say a word in support of the amendment?

Mr. DHIRENDRA NATH DATTA: It is your amendment.

Mr. A. F. STARK: Yes, it is our amendment.

Sir, the object of the amendment is this This clause in the Bill provides for the extension of the Howrah Drainage Scheme to neighbouring areas, and I think all honourable members will agree that not only Howrah but Bally and Belur Municipalities and some other municipalities should be covered by the Drainage and Sewage Schemes. Having provided for the extension of the scheme there is no provision that these other municipalities should make any contribution to the cost. Now the result of that is that the cost of the scheme will be met two-thirds by the Howrah Fund and one-third by the Provincial Government, and I do not think that the Howrah Trustees will be very willing to consider an extension of this scheme to neighbouring municipalities unless there was some contribution from these municipalities to the cost of the scheme. I quite agree with the Hon'ble Minister that the compensation will have to be in proportion to the ability of the neighbouring municipalities to pay. And for that reason we do agree that it should be in the hands of the Provincial Government to make some fair arrangement, but the point is that the Howrah Trustees will not wish to extend this drainage scheme, and it is most desirable that it should be extended, if the cost is going to be met entirely from the Howrah Fund.

The motion of the Hon'ble Mr. Mohammed Ali that in clause 35, in proposed section 67C, after clause (*b*) of the proviso to sub-section (*1*) the following be added, namely:—

"and

(*c*) if any outfall works, pumping works, sewage disposal works, sewers, drains or other constructions are, with or without any land acquired by the Board in connection therewith, transferred to vest in the Commissioners of any municipality other than the Howrah Municipality, the transfer shall be on such terms and subject to the payment of such compensation, if any, to the Howrah Fund as may be determined by the Provincial Government."

was then put and agreed to.

The question that clause 35 as amended stand part of the Bill was then put and agreed to.

New Clause 35A.

Mr. DEPUTY SPEAKER: Mr. Banerjee, are you moving amendment No. 27?

(Mr. Sushil Kumar Banerjee rose in his seat.)

The Hon'ble Mr. MOHAMMED ALI: Sir, may I say one thing? I have accepted the principles contained in amendment No. 27, and I have here got a short notice amendment accepting the principles of amendment No. 27. It has been circulated to honourable members and I hope Mr. Banerjee will accept it.

Mr. DHIRENDRA NATH DATTA: If the Hon'ble Minister accepts the principles of Mr. Banerjee's amendment, then it will not be necessary for Mr. Banerjee to move his amendment.

The Hon'ble Mr. MOHAMMED ALI: Sir, I beg to move that after clause 35 the following new clause be inserted, namely:—

35A. In section 72 of the said Act—

(*a*) in sub-section (*3*)—

(*i*) after the words "the other assessor shall be appointed" the words "for the purpose of all matters arising out of the operation of this Act in the Howrah Municipality or in any area in the neighbourhood of the Howrah Municipality by the Commissioners of the said municipality and for the purpose of all other matters" shall be inserted:

(*ii*) for the words "default of the Corporation" the words "default of the said Commissioners or the Corporation, as the case may be," shall be substituted;

(*b*) in sub-section (*6*) for the words and bracket "Corporation) the corporation or in default of" the words and bracket "Commissioners of the Howrah Municipality or the Corporation) the said Commissioner or the Corporation, as the case may be, or in default of the said Commissioners or" shall be substituted.

Mr. DEPUTY SPEAKER: Mr. Banerjee, you are not moving amendment No. 27.

Mr. SUSHIL KUMAR BANERJEE: No, Sir.

The motion of the Hon'ble Mr. Mohammed Ali was then put and agreed to.

New Clause 48A.

The Hon'ble Mr. MOHAMMED ALI: Sir, I beg to move that after clause 48, the following clause shall be inserted, namely:—

"112. (*1*) A special meeting of the Board shall be held as soon as may be expedient after the day referred to in section 4, sub-section (*2*), and the Chairman shall at such special meeting lay before the Board a fresh estimate of the income and expenditure of the Board for the current financial year.

(2) The provisions of section 108, sub-section (*2*) to (*4*) and sections 109 to 111 shall apply to the said fresh estimate.

(3) On the approval of the said fresh estimate by the Provincial Government under section 110—

(*a*) the estimate of the income and expenditure of the Board previously sanctioned by the Board and approved by the Provincial Government for the said financial year shall be deemed to have ceased to have effect on the date referred to in section 4, sub-section (*2*);

(*b*) all expenditure incurred on the basis of the estimate which has so ceased to have effect up to the date on which it has so ceased to have effect shall be deemed to have been duly authorised within the meaning of sub-section (*1*) of section 114;

(*c*) all liabilities incurred in terms of the estimate which has so ceased to have effect shall be deemed to be duly authorised notwithstanding that it may not be covered by the said fresh estimate".

Sir, this amendment goes to improve the provisions of the Bill and it is intended so that the Board can function along with the Howrah Committee as soon as this legislation is put on the Statute Book. I think this amendment is of a noncontroversial nature and will be accepted by the House.

The motion was put and agreed to.

Clause 49.

The question that clause 49 stand part of the Bill was then put and agreed to.

Clause 50.

The question that clause 50 stand part of the Bill was then put and agreed to.

Clause 51.

The question that clause 51 stand part of the Bill was then put and agreed to.

Clause 52.

The question that clause 52 stand part of the Bill was then put and agreed to.

Clause 53.

The question that clause 53 stand part of the Bill was then put and agreed to.

Clause 54.

Mr. SUSHIL KUMAR BANERJEE: Sir, I beg to move that in clause 54(*2*) for the proposed proviso to proposed sub-section (*4*) of section 121, the following proviso be substituted, namely:—

"Provided that subject to the provisions of section 120A, the whole cost of management of the Board shall be paid out of the Calcutta Fund".

We cannot pay twice—

The Hon'ble Mr. MOHAMMED ALI: Sir, I might intervene at this stage and cut short the debate. I accept the principle of this amendment but I would like to move in place of it a short notice amendment which will fit in by way of a better draft. My amendment is—

In sub-clause *(2)* of clause 54 in the proviso to the proposed sub-section *(4)* of section 121—

(*a*) for the word "sub-section" the word "section" shall be substituted, and

(*b*) the words "revenue account of the" shall be omitted.

This amendment, I think, covers all the proposed amendments to clause 54 of the Bill.

Mr. DHIRENDRA NATH DATTA: "Revenue account" will be omitted, "the" will remain—paid out of the Calcutta Fund.

The Hon'ble Mr. MOHAMMED ALI: The honourable member will notice that there are two "the"; one will remain and the other will go out.

Mr. DHIRENDRA NATH DATTA: Then it will read like this: "nothing in this section shall, in any financial year, prevent the whole of the cost of management of the Board in that year being paid out of the Calcutta Fund."

Mr. DEPUTY SPEAKER: Mr. Banerjee, in view of this short-notice amendment, do you intend to press your amendment?

Mr. SUSHIL KUMAR BANERJEE: Yes, Sir.

Hon'ble Mr. Deputy Speaker, Sir, আমার আসল কথা যেখানে সেখানে কোন কথা বলা হ'ল না। আসল কথা হ'ল এই Calcutta Corporation ও Calcutta Improvement Trustএর ১২০ ধারা অনুযায়ী আমাদের যে টাকা দেবার তা দিলাম। আবার এখানে বলা হচ্ছে যে কোন টাকা খরচ হবে তার সমস্ত এই যে management cost, তার সমস্ত Calcutta Improvement Trustএর Account থেকে নেওয়া হতেও পারে, নাও হতে পারে। কিন্তু যদি দরকার হয় তাহ'লে হাওড়া fundথেকে নেওয়া হবে। প্রথম থেকে আমরা ১২০ ধারা অনুযায়ী যখন সমস্ত টাকা দিচ্ছি তখন আমাদের কাছ থেকে দুবার করে আদায় হবে কেন? আমার কথা হচ্ছে, যে Amendment মাননীয় মন্ত্রীমহাশয় করলেন তাতে সেই point clear হ'ল না। তাই বলতে চাই একবার যখন দিচ্ছি পুরো টাকা তখন ফের যা দিচ্ছি সেটা optional হতে পারে—obligatory হচ্ছে না। তা হাওড়া ফাণ্ড থেকে নেওয়া হবে কেন? কাজেই মন্ত্রীমহাশয়ের Amendmentটা গ্রহণ করতে পারি না। আমার Amendment আমি move করছি।

The Hon'ble Mr. MOHAMMED ALI: The honourable member is talking against the principle of his own amendment and the honourable member will notice that it is subject to the provision of the section which says that the Provincial Government in determining the proceeds will take all factors into consideration. So, this amendment which I have moved covers the ground which the honourable member wanted to cover in his amendment.

Mr. DEPUTY SPEAKER: Before I put the amendment to the House I would ask Mr. Wilkinson and Mr. Stark if they want to move amendments Nos. 39 and 40.

Mr. A. F. STARK: Not moved.

The motion of Mr. Sushil Kumar Banerjee that in clause 54(*2*), for the proposed proviso to proposed sub-section (*4*) of section 121, the following proviso be substituted, namely:—

"Provided that subject to the provisions of section 120A, the whole cost of management of the Board shall be paid out of the Calcutta Fund"

was then put and lost.

The short-notice amendment of the Hon'ble Mr. Mohammed Ali that in sub-clause (*2*) of clause 54, in the proviso to the proposed sub-section (*4*) of section 121—

(*a*) for the word "sub-section" the word "section" shall be substituted, and

(*b*) the words "revenue account of the" shall be omitted,

was then put and agreed to.

The question that clause 54 as amended stand part of the Bill was then put and agreed to.

Clauses 55 to 67.

The question that clauses 55 to 67 stand part of the Bill was then put and agreed to.

Clause 68

The Hon'ble Mr. MOHAMMED ALI: Sir, I beg to move that in clause 68—

(1) in clause (*a*) of proposed sub-section (*2*) of section 177, the word "and" occurring at the end of the said clause shall be omitted, and

(2) to the said clause the following proviso shall be added, namely:—

"Provided that where any property vested in the commissioners of the Howrah Municipality under this clause is situated in any area within the neighbourhood of that municipality, the Provincial Government may, on the application of the commissioners of the municipality within which such area is situated, by notification direct that such property shall, on payment of such sum by way of compensation as may be specified in the notification to the commissioners of the Howrah Municipality by the commissioners of the municipality by whom such application has been made, be transferred to the commissioners of the latter municipality on such terms as may be laid down in the notification and such property shall, on such payment, vest in the commissioners of the municipality by whom such application was made to be held by the said commissioners on the terms so laid down."

Mr. DEPUTY SPEAKER: Will Mr. Wilkinson or Mr. Stark move his amendment?

Mr. A. F. STARK: Not moved.

Mr. DHIRENDRA NATH DATTA: I think I can move it.

The Hon'ble Mr. MOHAMMED ALI: This amendment is covered by my amendment.

Mr. DHIRENDRA NATH DATTA: There is some difference between the Government amendment and the amendment of Mr. Stark.

Mr. DEPUTY SPEAKER: If you want to press this amendment I think I have got to rule it out of order, because from the preamble of the Bill you will find that it is meant for the improvement of the town of Howrah

and for that purpose to amend the Calcutta Improvement Act of 1911. But in this amendment I find that something has been introduced, namely, "neighbourhood of Calcutta". It is beyond the scope of this Bill. So I have got to rule it out of order. I hold that this amendment is out of order.

Mr. DEBI PROSAD KHAITAN: Sir, before you give your ruling you ought to consider......

Mr. HAMIDUDDIN AHMED: The ruling is already given.

Mr. DEPUTY SPEAKER: I will not allow any discussion after I have given my ruling.

Mr. DEBI PROSAD KHAITAN: Sir, before you rule that the amendment is not in order you ought to give to the House an opportunity to explain to you that this amendment is not out of order, and I do not know whether your attention has been drawn to clause 2 of the Bill which is under consideration. The reasons given by you are absolutely contrary to the provisions of clause 2 of the Bill. Clause 2 of the Bill says: "But the Provincial Government may, by notification . ...

Mr. DEPUTY SPEAKER: Order, order. I will not allow you to raise this objection now. I have already given my ruling, and I am not going to allow any discussion. If you had anything to say you should have stood up when I was addressing Mr. D. N. Datta. You did not stand up then. After I gave my ruling you stood up and wanted to make your submission. I will not allow it.

Mr. BIMAL CHANDRA SINHA: Do you mean, Sir, that he should have interrupted you?

Mr. DEPUTY SPEAKER: Interruption would not have been necessary. If the honourable member had merely stood up that would have been sufficient.

Mr. NISHITHA NATH KUNDU: Sir, you have prevented us from exercising our right and privilege. We did not know that you were going to rule the amendment out of order. How could we know that?

Mr. DEPUTY SPEAKER: It is not necessary for me to speak out in the House in advance that I am going to give a ruling. If any member has got any submission to make it is not a practice of this House, nor is it necessary, to tell the House that he may do so. I have given my ruling. The matter is now closed.

Mr. DEBI PROSAD KHAITAN: The matter may be closed, but I would ask you to re-consider that inasmuch as when you were speaking to Mr. Datta you had not given the reasons why you thought that the amendment was out of order and we could not imagine the reasons that weighed with you when you ruled the amendment out of order. It was only when you gave out your reasons that we could consider and come to the conclusion and became entitled to draw your attention to the fact that the reasons really did not exist but that contrary reasons existed in the Bill itself. I ask you in the name of fairness .. ...

Mr. ABU TAIYAB MAZHARUL HAQUE: On a point of order, Sir.......

Mr. DEPUTY SPEAKER: Order, order. I am not going to allow any discussion. You are going to make comments on my ruling. I am not going to allow that.

Mr. ABU TAIYAB MAZHARUL HAQUE: Thank you, Sir. My purpose has been served.

Mr. NISHITHA NATH KUNDU: Sir, we want to know how we could anticipate your ruling and submit our point of view in support of our contention that the amendment is not out of order. Will the Deputy Speaker please direct us?

Mr. DEPUTY SPEAKER: Yes, I am giving you the direction.

Mr. NISHITHA NATH KUNDU: Before you close the matter we would like to have your direction.

(Mr. Dhirendra Nath Datta rose to speak.)

Mr. DEPUTY SPEAKER: Order, order Let me finish with that honourable member first.

Unfortunately there is no rule in the Procedure Rules that provides for giving notice from the Chair that a ruling is being given and for drawing the honourable members' attention to this fact; and for asking the honourable members to make their submissions on a particular point. There is no rule, as far as I have seen, in the Procedure Rules, to that effect. So I am really helpless in the matter It is not possible for me to say every time that I am going to give a ruling So my direction is that you have got to remain content with the present rules until new rules are made.

Mr. J. C. GUPTA: May I assist you, Mr Deputy Speaker, by making a submission that the amendment has been printed and is to be considered? Of course the Speaker has a right to rule the amendment out of order, but when an amendment has been printed in the agenda paper the Deputy Speaker or the Speaker, when he is of opinion that it is out of order, should realise that an opportunity is always given to the members concerned or to the House to make their submissions. It is not a case in which a point of order has been raised and you have given your ruling after hearing the members of the House. It is a case of an amendment appearing in the agenda which, in your opinion, is out of order. In all such cases the members concerned and the members of the House have always been given opportunities to explain the position and it has always appeared in the past that if it is found that a point which has not occurred to the House is pointed out it has been allowed Therefore I would request you not to stand on the strict principle that a ruling has been given over a matter which has been argued, to which we all ought to bow down. It is a little different and I would ask you to consider that.

The Hon'ble Mr. MOHAMMED ALI: Mr. Deputy Speaker, Sir, I would point out to the honourable members that in the amendment list it has been mentioned by a certain note that "these amendments are being examined and have not yet been admitted by the Hon'ble Speaker". There would have been some force in the contention, had this amendment been moved by the person in whose name the amendment stands Then the Deputy Speaker could have given an opportunity to Mr. Wilkinson or to Mr. Stark, but now the position is different. This amendment is a baby of the European party, and the Deputy Leader of the Congress Parliamentary Party wants to adopt that baby. (A VOICE FROM THE CONGRESS BENCHES: What is the harm?)

Mr. J. C. GUPTA: That is a different matter.

Mr. DHIRENDRA NATH DATTA: Sir, you have allowed Government to move a short-notice amendment. I also give short notice of this amendment. Will you kindly allow me to move it?

Mr. DEPUTY SPEAKER: I will tell you after I have replied to Mr. J. C. Gupta. I appreciate the spirit in which the honourable member has assisted me in discharging my duties and I would certainly consider his advice in future. But so far as this particular matter is concerned, I have given my ruling and the matter is closed.

Point of Privilege.

Mr. NIHARENDU DUTT-MAJUMDAR: May I rise on a point of privilege, Sir? What I wish to submit for your consideration is this: it has always been, Sir, a convention and practice in this House that important rulings are given by the Speaker on points of order raised by members. On a point of order raised by a member it is also the privilege of members of this House to make their submission before the Speaker for his consideration, and when the Speaker having considered the submissions of members gives his ruling, it has got the status of a binding decision which can neither be discussed nor criticized nor challenged. It is likewise the privilege of the Speaker to get submissions made before him in order to assist him with a view to come to a definite ruling. Now, Sir, I submit that in future we may be benefited by your direction as to whether the same practice will be followed, namely, that members will in no circumstances forfeit the right and privilege of making their submissions before the Speaker gives a ruling in the clear sense of the term and before he rules something out of order. Sir, in the absence of any definite point of order raised and in the absence of definite submissions made by members, the Speaker is certainly entitled to hold an opinion and to give expression to that opinion. With all due respect to the Speaker's opinion, on a point of privilege, I beg to submit that when a submission is made before the Speaker on a point of order, only after getting the benefit of hearing all submissions, the Speaker is entitled to give his definite ruling, namely, to rule a certain thing out of order, or admit it as being in order. This is the point of privilege which I wish to place before you. Sir, may I now have your direction as to whether I may raise a point of order regarding the question as to what particular classes of amendment may be out of order, or not?

Mr. HAMIDUDDIN AHMED: I think the argument put forward by my friend Mr. Dutt-Mazumdar is misleading. There is no point of order raised by any member in this House. This is in respect of an amendment placed before the House and submitted to the Speaker for his examination, and to rule whether it is admissible or not. It is not a point of order raised by any member; it is only an amendment before the Speaker, and the Speaker after hearing any member might give his ruling whether any particular amendment is in order or not.

Mr. ABDUL KARIM: Sir, I submit that my friend Mr. Dutt-Mazumdar is right but not entirely. Sir, there must be some limitations about the submissions of members. Every member, I agree, must have some right, but it depends at the discretion of the Speaker to allow him to speak.

Mr. BIMAL CHANDRA SINHA: Sir, may I refer to May's Parliamentary Practice, where it has been said that in cases of dispute, the matter is not decided by the Speaker of the House of Commons, but it is left to the House for decision?

Mr. DEPUTY SPEAKER: So far as Mr. Sinha's point is concerned, that practice is not followed here. So that question does not arise.

So far as Mr. Dutt-Mazumdar's point is concerned, it is not necessary for me to give any direction on a hypothetical case. When a contingency of the type described by Mr. Dutt-Mazumdar will arise, I will certainly give my ruling. It is not necessary for me to give a ruling now. But for the satisfaction of my honourable friend I can say that I would have been glad to hear Mr. Khaitan if he had stood up promptly. He was slightly late and that is why I could not hear him. So the matter is closed.

Mr. DHIRENDRA NATH DATTA: I beg to move—

Mr. MUHAMMAD ISRAIL: Sir, we want to know whether we can have a copy of the short notice amendment which is being moved by

Mr. Dhirendra Nath Datta. (Cries of "no" "no" from the Opposition benches.)

Mr. DEPUTY SPEAKER: Order, order. I have allowed Mr. Dhirendra Nath Datta to move the short notice amendment.

Mr. HAMIDUDDIN AHMED: May I know, Sir, whether it is the same amendment which was ruled out of order?

Mr. DEPUTY SPEAKER: No. No Yes, Mr. Datta.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that the following proviso be added to clause 68, namely:—

"Provided that where any property vested in the commissioners of the Howrah Municipality under this clause is situated in any area within the neighbourhood of that municipality, the commissioners of such municipality shall have the right to acquire such properties or any of them from the commissioners of the Howrah Municipality on such terms as may be determined by the Tribunal".

The Hon'ble Mr. MOHAMMED ALI: Sir, I oppose the short-notice amendment moved by Mr. Dhirendra Nath Datta The ground for my doing so is that there is no reference to the Tribunal over the question of determination of the terms and the amount of compensation We propose that the terms and the amount of compensation will be determined by the Provincial Government. He wants that the power should vest in the Tribunal which will determine the terms and the amount of compensation. The one difficulty in the matter of accepting his amendment is that by section 70 the power of the Tribunal has been limited It says that the Tribunal shall be constituted as provided in section 72 for the purpose of performing the functions of the court in reference to the execution of the Land Acquisition Act of 1894. So the powers and functions of the Tribunal have been limited by the Calcutta Improvement Act. Now we cannot therefore increase the provisions of the power of the Tribunal without amending this section and unless we amend this section which is now beyond the scope of the present amending Bill the provision in Mr. Datta's amendment is really out of order because it is beyond the purview of the provisions of the main Bill and will clash with the provision of section 70 Therefore I oppose the amendment

Mr. DHIRENDRA NATH DATTA: Mr. Deputy Speaker, Sir, my amendment does not want to give power to Government. The municipality shall have the right to acquire property under the provisions of the Act. That the municipality has the power to acquire property is admitted by all sides. The question is, who will determine the terms. The Government proposal is that the terms will be determind by Government by a notification. My amendment is that the terms will be determined by the Tribunal. My submission is that the Tribunal consists of just the persons who are judges and best fitted to determine the terms and amount of compensation. They are experts in this matter. Government cannot determine the value of the land. The value must be determined by experts. In this Bill we agree on all material points but the only point on which we differ is whether the terms will be determined by Government or by the Tribunal. My amendment is that it should be determined by the Tribunal. Mr. Mohammed Ali says that this amendment of mine is out of order because to give effect to this amendment section 72 of the Calcutta Improvement Act shall have to be amended. I cannot understand why the Tribunal cannot be given that power. By this Bill we are giving power to the Tribunal to determine the terms that are necessary for acquisition of land. Of course, on material point there is not much difference. The only difference is, who will actually determine the terms. I think the Tribunal is the best body for that purpose in view of the fact

that it consists of the best judges to determine or to assess the value of the land.

The short-notice amendment of Mr. Dhirendra Nath Datta that the following proviso be added to clause 68:—

"Provided that where any property vested in the commissioners of the Howrah Municipality under this clause is situated in any area within the neighbourhood of that municipality, the commissioners of such municipality shall have the right to acquire such properties or any of them from the commissioners of the Howrah Municipality on such terms as may be determined by the Tribunal", was then put and lost.

Mr. NIHARENDU DUTT-MAZUMDAR: The Hon'ble Minister has stated that you ruled that amendment out of order before it was moved—I mean Mr. Stark's amendment. Do we understand that you ruled this amendment out of order?

The Hon'ble Mr. MOHAMMED ALI: May I remind Mr. Dutt-Mazumdar that when Mr. Stark did not want to move it, it was Mr. Dutt-Mazumdar who wanted to take it up. The baby of the European party was about to be adopted by the Deputy Leader of the Congress Party when Mr. Deputy Speaker made that decision.... .(Laughter).

Mr. DEPUTY SPEAKER: I hope the matter has been made clear by the statement of Mr. Mohammed Ali and it should be closed.

Mr. NISHITHA NATH KUNDU: Only the baby has now grown older...(Laughter).

Mr. NIHARENDU DUTT-MAZUMDAR: Mr. Mohammed Ali wanted to commit legislative infanticide.

The motion of the Hon'ble Mr. Mohammed Ali that in clause 68—

(1) in clause (a) of proposed sub-section (2) of section 177, the word "and" occurring at the end of the said clause shall be omitted, and

(2) to the said clause the following proviso shall be addel, namely:—

"Provided that where any property vested in the commissioners of the Howrah Municipality under this clause is situated in any area within the neighbourhood of that municipality, the Provincial Government may, on the application of the commissioners of the municipality within which such area is situated, by notification direct that such property shall, on payment of such sum by way of compensation as may be specified in the notification to the commissioners of the Howrah Municipality by the commissioners of the municipality by whom such application has been made, be transferred to the commissioners of the latter municipality on such terms as may be laid down in the notification and such property shall, on such payment, vest in the commissioners of the municipality by whom such application was made to be held by the said commissioners on the terms so laid down",

was then put and agreed to.

The question that clause 68 as amended stand part of the Bill was then put and agreed to.

Clause 69.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move——

Mr. DEPUTY SPEAKER: Before I allow Mr. Datta to move the amendment I would like to hear the Leader of the Opposition as to what had been the practice of this House about allowing members of different parties to move amendments which have been given notice of but not moved by members of opposite parties.

Mr. KIRAN SANKAR ROY: I am afraid, Sir, I have no recollection.

Mr. NIHARENDU DUTT-MAZUMDAR: The honourable Leader of the Opposition says that he has no recollection in the matter, but I might remind you, Sir, the other day Mr. Khaitan was allowed to move an amendment of which notice was given by Mr. Poddar. (Mr. Muhammad Israil: Same party.)

The Hon'ble Mr. MOHAMMED ALI: Mr. Deputy Speaker does not object to a motion standing in the name of a party member being moved by another member of the same party. What Mr. Deputy Speaker wants to know from the House is whether there has been any past practice permitting a member of a different party to move a motion given notice of by a member of some other party.

Mr. NIHARENDU DUTT-MAZUMDAR: The question of party is altogether a matter of convention of a different kind. On the question of a matter which is on the order paper, the question of party does not arise. If a matter of which notice has been given by one member can be moved by another member, then it can be moved all the same by any member irrespective of which party that particular member belongs to. That matter is a property of the House. I would also remind you, Sir, that even when a member after having moved a motion wishes to withdraw it, the consent of the whole House is needed. I take that analogy to point out that if it is permissible to move a particular motion, then it may be moved by any member of the House irrespective of which party he belongs to.

Mr. MOHAMMED ISRAIL: I rise on a point of order. It is a convention of this House that the Speaker generally does not allow a motion standing in the name of one member to be moved by another member. That practice was followed by Sir Azizul Haque and also by other Speakers. The Speaker generally did not permit a motion standing in the name of one member to be moved by another member unless there was special reason and there was special occasion for it. So it is not quite true to say that any member whether he belongs to that party or not can move a motion standing in the name of another member.

Mr. DEBI PRASAD KHAITAN: May I make one submission with regard to this amendment which my friend Mr. Datta intends to move. Apart from the question of propriety or otherwise of allowing one member to move a motion which has been sent by another member——(Mr. Deputy Speaker: Of a different party.) As my friend Mr. Niharendu Dutt-Mazumdar has pointed out, as regards points of this nature the question of party or group cannot arise at all. The question is if notice has been given by a member of the Assembly whether another member of the Assembly who considers it to be important and advisable to be moved and considered by the House should be allowed to move that amendment by the Deputy Speaker or the Speaker who presides.

In this connection, Sir, on the point at issue before you, I submit, that if the Hon'ble Minister will be good enough to read the amendment itself

he will himself move it as a short-notice amendment, otherwise the provision in the Bill allows the Government to commit dacoity or murder if it likes and if it thinks necessary for carrying out certain provisions of the Act. The amendment was useful. Mr. Wilkinson and Mr. Stark gave notice of the motion proposing to insert the words "not inconsistent with the provisions of this Act". I absolutely fail to understand why Mr. Wilkinson and Mr. Stark have seen fit not to move this very necessary and proper amendment. (Mr. Niharendu Dutt-Mazumdar: Domestic arrangement.) Whether the arangement is domestic or otherwise I do not know, but I do consider that Government should move this amendment as a short-notice amendment, otherwise I ask for leave to move it as a short-notice amendment, if necessary, because I do consider that this amendment is a very valuable and useful part of the Act. Sir, I ask for permission to move this amendment as a short-notice amendment.

Mr. DHIRENDRA NATH DATTA: Mr. Deputy Speaker, Sir, this motion is a property of the House and any member can move it to whichever party he may belong. It can be treated as a short-notice amendment.

Mr. MUHAMMAD ISRAIL: On a point of order, Sir. The Deputy Leader of the Congress Party is misleading the House. It is only after a motion is moved that it becomes the property of the House and without the leave of the House it cannot be withdrawn, but before it is moved, it is nobody's property.

Mr. DEPUTY SPEAKER: This point of order does not arise.

Mr. SURESH CHANDRA DAS GUPTA: মাননীয় মন্ত্রীমহাশয় যে কথা বলেছেন তাতে আমি একটু ভীত হয়ে উঠেছি। হাওড়ার improvementএর প্রস্তাব এখানে হচ্ছে, এটা সকল লোকের উপকারের জন্য--কে কংগ্রেসের, কে মোসলেম লীগের, কে কমিউনিষ্টের · ·

Mr. MUHAMMAD ISRAIL: Sir, I want to know whether it is a point of order, or a statement, or a point of privilege. I want your ruling, Sir.

Mr. DEPUTY SPEAKER: The honourable member did not say that he rose on a point of order.

Mr. MUHAMMAD ISRAIL: On a point of order, Sir.

Mr. DEPUTY SPEAKER: Will you please take your seat? I merely wanted the assistance of some experienced members to tell me what is the practice in this House in a matter of this nature and Mr. Das Gupta wanted to speak. It is not a point of order.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: He is absolutely new to this House. The convention is that you can ask the leaders of parties and not a new member to assist you.

Mr. DEPUTY SPEAKER: Mr. Das Gupta, say something which will be of real assistance to me.

Mr. SURESH CHANDRA DAS GUPTA: আমাদের এই সদস্যদের মধ্যে যাঁরা আইন নিয়ে আলোচনা করছেন Minister থেকে আরম্ভ করে সকলে তাঁরা এই আইন করছেন সর্ব্ব সাধারণের উপকারের জন্যই--(Interruptions).

Mr. J. C. GUPTA: Sir, the general practice is that if a member of a particular party who has tabled an amendment is absent or if the Whip of the party intimates that some other party will take up the amendment, that can be done. There have been cases where amendments tabled by one party have also been taken up by other parties, just as amendments previously tabled by the Krishak Proja Party were taken up by the Congress Party. That was by arrangement. But here is a case where

the party which has tabled the amendment does not want to move it. In these circumstances the procedure that has been suggested by Mr. Khaitan is correct. As it has been done here previously, he could ask leave for moving this amendment on short notice. That would be the proper procedure."

Mr. ABDUL KARIM: Sir, Mr. J. C. Gupta has said that there has been a practice that a member of a party is allowed to move an amendment tabled by a member of another party when the member who had tabled the amendment was absent. I would like to point out that such permission was given only on the understanding that the mover had the implied consent of the member in whose name the motion was on the agenda. On that understanding a member of the same party is given permission to move that amendment. If any member belonging to a different party is to be allowed to move that amendment, you have to find out whether that member has the necessary consent to move that amendment.

So far as short-notice amendment is concerned, any member is entitled to move an amendment on such notice, if you so permit.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, will you be pleased to look at Rule 60, clause (2) of the Procedure Rules?

The Hon'ble Mr. MOHAMMED ALI: We need not pursue that question any further.

Mr. NIHARENDU DUTT-MAZUMDAR: This might help you, Sir. The point is not covered by any express rule, but we are discussing the prevalent practice. As far as I find in rule 60, clause (2)—.

The Hon'ble Mr. MOHAMMED ALI: Is there any necessity for pursuing that point any further?

Mr. NIHARENDU DUTT-MAZUMDAR: If you accept this amendment on short notice this point will not arise now, but the question may arise again.

The Hno'ble Mr. MOHAMMED ALI: Since we have admitted the short-notice amendment, this point need not be pressed now.

Mr. A. F. STARK: Sir, I would like to suggest that it is not desirable that one party should pinch the babies of other parties. I would like to support Mr. Gupta's suggestion that if this amendment is to be moved by a member of another party other than the European Party, it should be moved as a short-notice amendment.

The Hon'ble Mr. MOHAMMED ALI: Sir, I have no objection to permission being granted to Mr. Khaitan to move the short-notice amendment, because I have also been given indulgence of the members of this House in this respect and I have also moved a short-notice amendment. So I cannot legitimately shut out any short notice amendment.

Mr. DEPUTY SPEAKER: So far as this point is concerned, I would not give any ruling off-hand nor is it necessary to give any ruling since the Hon'ble Minister is accepting the short-notice amendment.

Mr. DEBI PRASAD KHAITAN: Sir, I beg to move a short-notice amendment that in clause 69, in the proposed section 178 after the word "anything" in the second last line, the words "not inconsistent with the provisions of this Act" be inserted.

The reasons for this amendment are that the word "anything" that occurs in clause 69 of the Bill is of too wide a nature and in order to explain it, I will just read clause 69 as it stands, viz., "if any difficulty arises in giving effect to the provisions of this Act in the Howrah Municipality, or

in any area in the neighbourhood of the Calcutta Municipality or in any area in the neighbourhood of the Howrah Municipality," then note the words "the Provincial Government may, notwithstanding anything contained elsewhere in this Act, by order do anything which appears to it necessary for the purpose of removing the difficulty". I have not the slightest doubt that the members of this House have only to concentrate their attention on the word "anything" to find out that too wide powers are being taken up by the Government for the purpose of removing the difficulty. In the recent past we have sufficient experience of how advantage has been taken of the Defence of India Act and the Defence of India Rules for purposes for which the Defence of India Act and the Defence of India Rules were not intended at all. There is no reason why we should not fear that if the word "anything" in an unqualified manner is allowed to remain in this section, such wide powers will vest in the Government that the members of this House and perhaps their descendents may have to regret in future for having allowed Government such wide powers. Nor do I think that the Hon'ble Minister would like to have such wide powers vested in the Government either constituted by himself and his colleagues or future Governments that may come into existence. The amendment that I have been allowed to move by the kind consent of the Hon'ble Minister and by your indulgence restricts the word "anything" to methods not inconsistent with the provisions of this Act. I will not give examples of what powers the Government may get if the word "anything" is not qualified. I will leave it for the Hon'ble Mr. Mohammed Ali to guess them for himself and the honourable members to guess and I have not the slightest doubt that if the Hon'ble Minister in charge will give one second's thought to this problem, he will accept this amendment without the slightest hesitation.

Mr. DHIRENDRA NATH DATTA: Sir, here the Legislature is giving wide powers to the executive. The rule-making power is vested in the Legislature which gives authority to the executive for the purpose of carrying out the different provisions of the Act.

Sir, during my experience as a lawyer for the last 35 years I found that any law by which power has been given to the executive by the Legislature is not inconsistent with the provisions of the Act nor is it repugnant to the provisions of the Act. So, here must necessarily be some such qualifying words as "consistent with the provisions of the Act", not inconsistent with the powers of the Legislature to make laws, and those provisions should not be repugnant to the provisions of the Act. The powers rest with the Legislature to make laws and the executive has not got the power to make laws. So, the executive should not be allowed such wide powers as may enable them to do anything they like; they cannot be allowed to commit murder or anything of the sort and their power should always be restricted.

With these words, I support the amendment of Mr. Khaitan.

Mr. SHARFUDDIN AHMAD: Sir, I rise to oppose the amendment of Mr. Khaitan. It has been said by my friend, Mr. Dhirendra Nath Datta that during his long experience as a lawyer he has not seen such wide powers being given to the Government. I would submit here that all the 68 clauses that have been accepted by the House are nothing but limitations on the powers of Government. The last clause, namely, clause 69 which runs as follows, provides some powers, if any:—

> "If any difficulty arises in giving effect to the provisions of this Act in the Howrah Municipality, or in any area in the neighbourhood of the Calcutta Municipality or in any area in the neighbourhood of the Howrah Municipality, the Provincial Government may, notwithstanding anything contained elsewhere in this Act, by order do anything which appears to it necessary for the purpose of removing the difficulty."

So, Sir, the power that is contemplated to be given to Government by this clause is very very limited in its application, because of the existence of the words "if any difficulty arises about giving effect to the foregoing provisions of the Bill".

Sir, as I said there are 68 clauses which have been adopted by this House, and they cover the whole field. So there is very little power left to Government to be afraid of. This provision is intended only for the purpose of meeting unforeseen circumstances which might create difficulties and deadlock. This is only a means to getting out of difficulties, if any arise and the legislature might not be in session at the time. It is only for such limited and rare occasions that this clause is necessary. The fear raised in the mind of Mr. Datta is not probably justified.

Mr. ISWAR DAS JALAN: Sir, if this proves true, as my friend has said just now, then I do not find any ground for objection on the part of Government, because what he says is this: that the clause as it stands means that the Government is not empowered to do anything which is contrary to the provisions of the Act. Then what is the harm in accepting the amendment, so that no Court can put a contrary meaning. If the contention of my friend Mr. Sharfuddin Ahmad is correct, I hope the Hon'ble Minister will accept the amendment.

I have got one more point to add. What we propose is "not inconsistent with the provisions of the Act." Now if this is opposed, then may I take it that Government wants to make orders which are not consistent with the provisions of the Act. If this is true, are we going to give veto power to the Executive over the Legislature? We have passed various sections of this Bill, and we do not see any reason why we should again empower the Executive to do away with those sections which we have passed in this House. If we authorize the Executive to do something which is inconsistent with the provisions of the Act, then certainly we authorize the Executive, to act in a manner which may nullify the whole Act. Then should the Legislature give such power to the Executive? Certainly not. I hope the Hon'ble Minister will consider this point.

The Hon'ble Mr. MOHAMMED ALI: Mr. Deputy Speaker, Sir, I regret it is not possible for me to accept this amendment. I would give only two reasons. Firstly, I would request my friend, Mr. Khaitan, to read clause 69 along with his amendment, and then he will realise the implications of the amendment. Let me read the amendment.—"if any difficulty arises in giving effect to the provisions of this Act in the Howrah Municipality, or in any area in the neighbourhood of the Calcutta Municipality, or in any area in the neighbourhood of the Howrah Municipality, the Provincial Government may, notwithstanding anything contained elsewhere in this Act, by order do anything not inconsistent with the provisions of this Act, which appears to it necessary for the purpose of removing the difficulty." Sir, if the amendment is accepted in this form, it becomes self-contradictory. In one place it is "notwithstanding anything contained elsewhere in this Act" and in another place it is "not inconsistent with the provisions of this Act". Therefore, if this amendment is accepted it becomes self-contradictory and will create a lot of difficulties.

Secondly, a lot has been said about the intention of Government to usurp wide powers. That is far from correct. If the clause is accepted as it stands it does not confer any power on Government. The honourable members should see the implication of the fist sentence in the clause which is "if any difficulty arises in giving effect to the provisions of the Act" that is to say, the power that is being taken by Government is only a power to remove deadlocks, and is very strictly limited as my friend Mr. Sharfuddin Ahmad has very correctly pointed out. The power is this,

if in giving effect to the provisions of this Act, or in implementing them any difficulty arises, then Government can remove that difficulty. So the honourable members will realise that the power is not at all wide as is apprehended. No question of arson, murder, or looting comes in here. I would ask my friends, Mr. Dhirendra Nath Datta and Mr. Khaitan, to read the clause again: "if any difficulty arises in giving effect to the provisions of the Act". Mark the words "if there is any difficulty". So in the case of there being any difficulty the Government will remove that difficulty. Nothing further. Then again read the last sentence of the clause "which appears to it necessary for the purpose of removing the difficulty". Here also the power is again limited. So I do not see any reason why members should be getting alarmed. It is only necessary in order to see that the provisions of the Act are carried into effect, and nothing beyond that. There is no question of taking any power by Government.

Sir, similar provision is in existence in the Garden Reach Municipal Act. There is nothing new and nothing alarming. Mr Khaitan asked me to give a few minutes' thought to his amendment. I shall in return request Mr. Khaitan most respectfully to give a few seconds' thought to the implication of his amendment. He will find that if it is accepted it will be self-contradictory and illogical. Honourable members should realise that Government takes only a limited power to implement the provisions of the Act only to remove any difficulty if and when it arises. So I hope the honourable members will not be alarmed and the amendment will not be pressed.

Mr. A. F. STARK: May I ask the Hon'ble Minister, through you, Sir, one question? If any difficulty arises for which there is no provision in the Act, will the Provincial Government then by an order remove that difficulty or will the Provincial Government come to the Legislature with an amending Bill to make a legislation?

The Hon'ble Mr. MOHAMMED ALI: Sir, the present proposal is to meet any difficulty which arises. In order to give effect to the provisions of the Act Government may by order remove that difficulty and if it is felt that there is a need for an amending Bill—because we cannot legislate on a hypothetical basis—Government will certainly come forward with an amending legislation so that provisions may be made in future that similar difficulties do not arise. But now it is a hypothetical question: it will have to be decided when that difficulty arises. If such difficulty ever arises and if it is necessary to bring in an amending Bill, it will certainly be done.

Mr. DEBI PRASAD KHAITAN: Sir, I crave the indulgence of replying to the Hon'ble Minister as a result of his request. I have given a careful thought both to the provisions of the Bill and the amendment which is now before the House. I would again request the Hon'ble Minister to give further thought to the amendment that has been moved in this House. I would first draw his attention to the expression "any difficulty". "Any difficulty" refers not only to points arising out of this Act but also to the enforcing of the Act. And as Mr. Stark has pointed out, if there is no provision in the Act to this effect and if it is thought by the Government that something should be done in spite of the absence of any provision in the Act, could it be carried out by an executive order of the Government? Sir, the clear answer given by the Hon'ble Minister is —and he has given but a loyal interpretation to the clause which has been supported by him—that Government would have the power to carry it out to remove the difficulty, if any, by any means that Government find suitable without coming to the Legislature or even without getting an Ordinance issued.

The Hon'ble Mr. MOHAMMED ALI: Sir, I said it would depend upon the nature of the difficulty.

Mr. DEBI PRASAD KHAITAN: But, Sir, there is not the slightest doubt that Government is being armed with powers which were not within their contemplation when they drafted this clause of the Bill. I submit that the expression "any difficulty" occurring in the first line of the amending Bill is so wide—and I think nothing can be further wider, which may not be in the contemplation of the Government at the present moment—and still gives such wide powers to the Government that they may one day regret having accepted it, and they will be pressed not only by the Improvement Trust but also by some members of the public to overcome all difficulties arising out of the Act on account of its beneficent provisions and carry out the purposes for which the Calcutta Improvement Act may not be intended either for the Calcutta Municipality or the Howrah Municipality or neighbouring areas. In their own interest Government should not therefore press this clause without this beneficial amendment that has been objected to. I would further submit that even if this clause is carried unamended by this House, the Hon'ble Minister should give further thought to it and get it amended in the Upper House.

The motion of Mr. Debi Prasad Khaitan, at short notice, that in clause 69, in the proposed section 178 after the word "anything" in the second last line, the words "not consistent with the provisions of this Act" be inserted, was then put and lost.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, before you put clause 69 to vote will the Hon'ble Minister consider the suggestion made by Mr Khaitan? In respect of clause 69, when the Bill passes through the Upper House, will he remember the suggestion about making a suitable amendment there at least on clause 69?

The Hon'ble Mr. MOHAMMED ALI: Sir, I would discuss the matter with Mr. Khaitan and I hope I will be able to convince him.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, the only thing for him to consider will be this: There is no knowing as to when and for how long this province may or may not be ruled under section 93. It would be dangerous, I think, to members of both sides of the House to give such illimitable powers in the hands of the Government.

Mr. DEPUTY SPEAKER: The discussion on this clause is closed. I hope you will not press this matter.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, I would ask him to consider this question. I have nothing further to press.

Mr. DEPUTY SPEAKER: The Hon'ble Minister has agreed to discuss the matter with Mr. Khaitan. Therefore that question does not arise.

The question that clause 69 stand part of the Bill, was then put and agreed to.

Preamble.

The question that the Preamble stand part of the Bill, was then put and agreed to.

The Hon'ble Mr. MOHAMMED ALI: Sir, I beg to move that the Calcutta Improvement (Howrah Amendment) Bill, 1946, as settled in the Assembly, be passed.

Mr. DEBI PRASAD KHAITAN: Mr. Deputy Speaker, Sir..........

Mr. DEPUTY SPEAKER: The honourable member will remember that we are not sitting beyond six o'clock and that is why no recess for prayer has been given. If the honourable member wants to speak, he must finish soon.

Mr. DEBI PROSAD KHAITAN: I will speak a few words just to draw the attention of the Hon'ble Minister to the necessity of certain improvements near Calcutta, and I do not think I shall take more than two or three minutes. I welcome this Bill, and I congratulate the Government that they have included sub-clause (*4*) of clause 2 empowering the Government to issue notifications and included within the purview of the Calcutta Improvemtnt Act any specified area in the neighbourhood of the Calcutta Corporation or of the Howrah Municipality. It is a matter of regret to me that one amendment notice of which was given by Mr. Anandilal Poddar, being amendment No. 3, was not allowed to be moved, but I would particularly draw the attention of the Government to the necessity of taking immediate steps for the improvement of that portion of the neighbourhood of Calcutta which lies to the south of the railway lines and south of the Dhakuria lake. It is quite true that Government have taken steps for certain improvements on the eastern side and the development of the salt lake area, but on reading the report of the Committee that was appointed for the improvement of the salt lake a very unfortunate sentence appears that in order to develop that area a period of about twenty years will be required. Surely, the population of Calcutta is extending on a much more rapid rate and it is desirable that the natural way in which Calcutta is extending, namely, towards the south, Government should see to it and take immediate steps to extend the operations of the Calcutta Improvement Act to that part of Calcutta which lies to the south of Dhakuria lake and south of the railway line, namely, areas which lie within the Tollygunj and Behala municipalities. I hope that the Government will consider that matter as a very urgent measure; otherwise, the city which is already developing towards the south will develop in a haphazard manner. Later on, if the Calcutta Improvement Trust want to extend its operations, the cost of land there will go up and much of the land will have been built upon and it may not be possible for the Improvement Trust to take such methodical measures as they could be in a position to take at the present moment. It is very necessary that a layout of the development in that area should be made as soon as possible in order that there may be a very methodical development. That is the only point to which I wanted to draw the Hon'ble Minister's attention.

Mr. DHIRENDRA NATH DATTA: Mr. Deputy Speaker, Sir, I welcome this legislation but I want to point out that this Calcutta Improvement Act was passed in 1911 but since then there has not been much improvement in that area. So, even after the improvement of Howrah if we find that there was no improvement in the bustee areas, I shall consider that this is not an Improvement Act.

Sir, there are certain sections in the Calcutta Improvement Act, as for instance, section 36 which deals with improvement schemes and section 52 which deals with rehousing schemes with respect to poorer classes and working class people who will be displaced by the improvement schemes, but it is regrettable that this Act was not enforced for the last 35 years. It is regrettable that so far as bustee areas are concerned, there is not much improvement or rather there is no improvement. The law should be so amended as to make it compulsory for the Government to make improvement so far as bustee areas are concerned. I am afraid, Sir, whether any such legislation will shortly be passed, but I feel the necessity of a legislation for the purpose of improving bustee areas of both the city of Calcutta and of the Howrah town. I request the honourable members to look into the matter so that a legislation which, I think, is absolutely

necessary, is immediately taken in hand and we shall welcome this legislation. With these few words I again congratulate my friend for bringing this belated legislation.

The Hon'ble Mr. MOHAMMED ALI: Mr. Deputy Speaker, Sir, I have barely a few minutes at my disposal. I do not propose to detain the House because we have not yet adjourned for prayer.

Sir, I am grateful to Mr. Datta for his congratulation though I do not deserve it. I am not responsible for this Bill. This Bill was referred to the Select Committee and adopted by our Party long ago and I presented the Bill as it emerged from that Select Committee because the Bill had lapsed. So, I canot take any credit for it because the Bill was adopted long ago.

I have heard what Mr. Khaitan and Mr. Datta have said. I promise them that I shall consider the question of revising certain provisions of the Bill if it is deemed expedient. We may incorporate certain provisions in the Calcutta Improvement Act in the light of the experience gained during the long period of more than 30 years in the working of this Act, and if we feel after examination that certain clauses should be amended or certain new provisions should be added, certainly we shall consider that question. But the scope of this Bill was limited inasmuch as it only tried to extend the operation of the Calcutta Improvement Trust to the Howrah Municipality and its neighbourhood. We shall examine the question of amending the Calcutta Improvement Act so as to provide for better working of the Improvement Trust within the jurisdiction of the Calcutta Corporation. That is a matter which we shall consider later on.

As regards the question of housing, I think I told Mr. Datta what our future plans are in that respect. We do propose to bring a legislation for providing housing and we also propose to establish a Housing Board and further a new Branch attached to the Local Self-Government Department is being created so that the question of town-planning and housing can be taken up by the Government.

Sir, with these words I again thank the honourable members for the willing co-operation that they have rendered me during the piloting of this Bill. I do not take any credit for this. The credit is not mine. I simply happened to be in the fortunate position of piloting a Bill by which the people of Howrah and its neighbouring areas will be benefited. This Bill was accepted in principle by the members of the House in 1943.

The motion of the Hon'ble Mr. Mohammed Ali that the Calcutta Improvement (Howrah Amendment) Bill, 1946, as settled in the Assembly, be passed, was then put and agreed to.

Mr. DEPUTY SPEAKER: This Bill is passed.

Adjournment.

The House was then adjourned at 5-56 p.m. till 3-30 p.m. on Monday, the 12th August, 1946, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 12th August, 1946, at 3-30 p.m.

Present:

Mr. Deputy Speaker (Mr. TAFAZZAL ALI) in the Chair, 6 Hon'ble Ministers and 205 Members.

STARRED QUESTIONS

(to which oral answers were given)

Derequisitioning of residential premises in Calcutta.

*12. **Mr. R. HAYWOOD:** (*a*) Is the Hon'ble Minister in charge of the Chief Minister's Department aware that there is an acute shortage of residential accommodation in the City of Calcutta?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) the total number of residential premises in the City of Calcutta requisitioned under the Defence of India Rules;

(*ii*) the number of residential premises in Calcutta derequisitioned since the termination of hostilities; and

(*iii*) the number of requisitioned residential premises in Calcutta still under occupation by the American Armed Forces?

(*c*) Will the Hon'ble Minister be pleased to state what steps have been taken to speed up the pace of de-requisitioning?

Mr. HAMIDUDDIN AHMED (on behalf of the Honb'le Mr. H. S. SUHRAWARDY): (*a*) Yes.

(*b*) (*i*) 985. This figure includes cases where only a portion of a house has been requisitioned, e.g., where two or three rooms have been taken over for the purposes of the Rationing Department.

(*ii*) The number of residential premises released from requisition between the middle of August, 1945, and 31st May, 1946, is 200.

(*iii*) Nil.

(*c*) It has been impressed on all concerned that now that the war is over every effort must be made to release requisitioned premises as soon as possible. With the removal of the major portion of the Government of India, Supply Department, from Calcutta, a number of premises occupied by departments of the Central Government in this city have been vacated. The Military authorities are co-operating, and the Standing Quartering Board reviews the position weekly and releases as many houses as possible.

Mr. BIMAL COMAR GHOSE: With reference to answer (*b*)(*i*) in view of the fact that one year has elapsed since the termination of the war and in view of the answers given to (*b*)(*ii*), (*iii*) and (*c*), will the Hon'ble Minister be pleased to state why only 20 per cent. of the houses requisitioned have so far been derequisitioned?

Mr. HAMIDUDDIN AHMED: Will you kindly repeat the question?

Mr. BIMAL COMAR GHOSE: In view of the fact that a year has elapsed since the termination of the war and also of the fact that a major portion of the Government of India Supply Department has been removed and there is no residential premises under the American Forces and the further fact that it has been impressed on all concerned that these requisitioned premises will be released forthwith, why only 20 per cent. of the premises requisitioned have so far been derequisitioned?

Mr. HAMIDUDDIN AHMED: There are some formalities which have to be undergone before the houses are derequisitioned. That necessarily will take some time. Further all the military personnel have not been removed from Calcutta at once and still there are many premises which are in occupation of the military.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state what are the formalities which are necessary for derequisitioning?

Mr. HAMIDUDDIN AHMED: There are so many questions which have to be examined. For instance, in some cases, the houses have been improved, and the authority which has made the improvement may necessarily claim the cost of improvement. In other cases there may be damage caused, and somebody must asertain the amount of damage that has been caused and the owner is entitled to some compensation for any such damage, and when any dispute arises, arbitration is appointed which adjudicates the amount of compensation to be awarded to the owner. Another question may arise, viz., when any improvement has been made by the military authorities, the owner or the party concerned may be asked to pay the compensation. If he agrees, it is well and good, but if he does not agree, the next higher landowner is approached whether he is agreeable to pay the compensation. Many such formalities have to be undergone before any derequisition is made.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether the only formality that stands in the way of early derequisitioning is the disputes referred to by the Hon'ble Minister?

Mr. HAMIDUDDIN AHMED: No, that is not so. I have already stated that there are many houses which are still in the occupation of military authorities.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether disputes with regard to claims are allowed to stand in the way of speedy derequisitioning of houses?

Mr. HAMIDUDDIN AHMED: Sometimes.

Mr. NIHARENDU DUTT-MAZUMDAR: With reference to the answer that out of 985 houses only 200 houses have been derequisitioned so far, will the Hon'ble Minister be pleased to state on what principle this preference is given in the matter of derequisitioning these houses?

Mr. HAMIDUDDIN AHMED: It is not in the hands of the Provincial Government. The Standing Quartering Board review the whole position and they declare which house can be derequisitioned and which cannot.

Mr. A. F. STARK: Will the Hon'ble Minister be pleased to state what does the Government intend to do when the Defence of India Rules expire at the end of September?

Mr. HAMIDUDDIN AHMED: It is in contemplation of Government to make a legislation with regard to requisitioning of houses, so that the provision of the Defence of India Rules may be extended beyond 30th September, 1946.

Mr. K. NOORUDDIN: Is the Hon'ble Minister aware that there are premises which have been derequisitioned but have not been given possession to the landlords on some pretext or other?

Mr. HAMIDUDDIN AHMED: No, not under any pretext. I think the question of compensation has not been settled.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'le Minister be pleased to state how many houses have been released in the months of June, July and August?

Mr. HAMIDUDDIN AHMED: I ask for notice.

Mr. J. C. GUPTA: Will the Hon'ble Minister be pleased to state why a survey by chartered engineers cannot be made and pending the settlement of disputes about compensation or otherwise, the premises cannot be released?

Mr. HAMIDUDDIN AHMED: It is in the interests of the houseowner that the question of compensation should be settled first. Once the houseowner is put into possession, further difficulties may arise for settling the compensation.

Mr. NISHITHA NATH KUNDU: In continuation of the question put by Mr. Nooruddin I will just give you the number and date of a letter to the Land Acquisition Collector, Mr. A. K. Ghose asking for derequisitioning the premises No. 10/1/18, Nepal Bhattacharjee Street, and ask the Hon'ble Minister why in spite of the derequisitioning order issued by the Department, this house has not been derequisitioned? The number of the letter is 388 C. S. R., dated Calcutta, the 25th February, 1946.

Mr. HAMIDUDDIN AHMED: I ask for notice.

Mr. K. NOORUDDIN: Is the Hon'ble Minister aware that some premises in Waterloo Street, though derequisitioned by the Land Acquisition Collector, have not yet been given possession to the landlord on the pretext that furniture could not be removed? The furniture in worth Rs. 1,000, but they are paying rent amounting to Rs. 1,500 for the last four months.

Mr. HAMIDUDDIN AHMED: I ask for notice.

Mr. AMULYA CHANDRA ADHIKARI: Will the Hon'ble Minister be pleased to state if the Government of Bengal are contemplating requisitioning some of the houses that are going to be derequisitioned by the Government of India?

Mr. HAMIDUDDIN AHMED: I ask for notice.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if he is aware that certain premises which were given up by some of the Government of India offices were taken up by other Government offices being shifted from the premises in which they were situated with a view to have more commodious premises, thereby causing inconvenience to the public?

Mr. HAMIDUDDIN AHMED: It will be enquired into.

Mr. BIMAL COMAR GHOSE: If the Hon'ble Minister wants an example I will give him one. There are certain premises in 8, Esplanade East, from where the Military offices were removed and other offices have shifted in. Will the Hon'ble Minister be pleased to state whether in such cases they contemplate any action being taken?

Mr. HAMIDUDDIN AHMED: Sir, my friend is not clear. He does not state whether the offices that have now shifted in 8, Esplanade East, are the offices of the Provincial Government or the Government of India.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state the number of derequisitioned residential premises in Calcutta still in the occupation of the British Military?

Mr. HAMIDUDDIN AHMED: All the houses that are in the possession of the military are in possession of the British Military personnel.

Mr. J. C. GUPTA: Will the Hon'ble Minister be pleased to state the number of such houses? The question that has been put to him wants to know the number.

Mr. HAMIDUDDIN AHMED: The number of houses in the occupation of military at the end of July 1946 is 666.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state how long it will take Government to take the derequisitioned houses back?

Mr. HAMIDUDDIN AHMED: It is a matter of opinion. It is impossible to say how long it will take us.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state what are the houses that have been derequisitioned, and how are they utilized?

Mr. HAMIDUDDIN AHMED: The possession of derequisitioned houses was given over to their original owners, or to those who were in possession before requisitioning.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if in spite of the order for derequisitioning being issued, the derequisitioning is either delayed or denied? Does the Hon'ble Minister think it desirable to take some steps so that derequisitioning orders may be executed without unnecessary delay?

Mr. DEPUTY SPEAKER: I do not allow this question. It is of a vague nature.

Mr. NISHITHA NATH KUNDU: Sir, I have quoted the number and date of the letter by which derequisitioning order was issued. It was as long back as 25th February, 1946.

Mr. DEPUTY SPEAKER: The second time you did not give the number.

Mr. NISHITHA NATH KUNDU: It is a matter of details.

Mr. HAMIDUDDIN AHMED: If any particular instance is brought to the notice of Government, they will move the authorities concerned so that the execution of derequisitioning order may be expedited.

Mr. A. F. STARK: Will the Hon'ble Minister be pleased to state if in view of the fact that it takes months and sometimes years to settle the question of compensation, he will consider the desirability of putting owners in possession of derequisitioned houses, subject to survey or other records to be made later?

Mr. HAMIDUDDIN AHMED: The Government will consider the suggestion, but I think it will be safer for the owners to get settlements made at first.

Mr. MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state what are the specific functions of the Provincial Derequisitioning Officer under the Government of Bengal, in view of the statement made by the Hon'ble Minister that it is only the military authorities who make releases of the requisitioned houses?

Mr. HAMIDUDDIN AHMED: The military has to make derequisitioning through the Provincial Derequisitioning Officer and all such questions are referred to him.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to consider the desirability that at the time of derequisitioning, dilapidation and improvement notes can be taken and possession immediately given to the owner pending compensation to be determined subsequently?

Mr. HAMIDUDDIN AHMED: I think my friend will realise that only taking down of notes is not enough for determining the question of compensation, but the suggestion will be considered by Government.

Mr. J. C. GUPTA: Will the Hon'ble Minister be pleased to state if it is not a fact that in all cases of compensation a survey is made and then compensation is given, say, a year after? A "note" means a survey by a chartered engineer or architect who are plenty in Calcutta.

Mr. HAMIDUDDIN AHMED: Yes. A survey is first made and compensation paid afterwards.

Mr. J. C. GUPTA: Then why can't a survey be made and possession given pending the question of settlement of compensation for any deterioration?

Mr. HAMIDUDDIN AHMED: It will be considered by Government.

Mr. BIMAL CHANDRA SINHA: Will the Hon'ble Minister be pleased to state if it is a fact that though houses have been derequisitioned after occupation for three or four years, in some cases no rent has been paid for them?

Mr. HAMIDUDDIN AHMED: I want notice.

Mr. RADHA NATH DAS: In view of the fact that Government have admitted that there is an acute shortage of residential accommodation in Calcutta, will the Hon'ble Minister be pleased to state what steps Government propose to take to remove this shortage?

Mr. HAMIDUDDIN AHMED: Government are trying to get back all the houses that had been requisitioned for military, and other purposes, and it is very difficult to say offhand what other things can be done to meet the demand for houses. Due to aftereffects of war raw materials for the construction of new houses are not available, and Government in the circumstance cannot determine what can be done to meet such a serious demand for shortage of houses.

Dr. PROTAP CHANDRA GUHA ROY: Will the Hon'ble Minister be pleased to state how many years will be required to derequisition all the houses?

Mr. HAMIDUDDIN AHMED: It is impossible to give time.

Dr. PROTAP CHANDRA GUHA ROY: An approximate time?

Mr. HAMIDUDDIN AHMED: It is too impossible.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state what is the constitution of the Standing Quartering Board?

Mr. HAMIDUDDIN AHMED: The Board consists of the following persons:—

Brig. J. P. C. MacKinlay,
A. K. Ghosh, Esq., I.C.S.,
Rao Sahib V. S. Mudaliyar,

G. C. Mitra, Esq., M.SC., B.L.,
Comdr. V. L. Sargeant,
Brig. J. E. Gordon,
Capt. B. Goldstone,
Maj. N. H. H. Kealy,
Capt. K. P. Barrett, R.E.,
Col. E. M. E., Coghlan, M.B.E.,
Lt.-Col. H. C. T. Faithful,
Maj. B. W. Fairs,
Wing Comdr. Jem. Stubbings,
Group Capt. C. H. Brill,
W. A. Burns, Esq.,
Capt. F. C. Parry,
A. L. Cameron, Esq., and
Maj. Barnes.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if this Board is the final authority in all matters of derequisitioning?

Mr. HAMIDUDDIN AHMED: It is not the final authority but it examines every case and reviews the whole position.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state what part the Government of Bengal plays in the matter of decisions regarding the derequisitioning of houses?

Mr. HAMIDUDDIN AHMED: The Standing Quartering Board reports to the Land Acquisition Collector of the Government of Bengal and through the Land Acquisition Collector the Government of Bengal takes all necessary steps in the matter of derequisitioning.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state when was this Board formed and whether there is any representative of the Government of Bengal in it?

Mr. HAMIDUDDIN AHMED: I want notice.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if it is only with regard to the houses that are recommended for derequisitioning that the Land Acquisition Collector can take any action?

Mr. HAMIDUDDIN AHMED: The Land Acquisition Collector cannot independently take any action.

Mr. BIMAL COMAR GHOSE: In regard to the houses that are recommended by this Board for derequisitioning, will the Hon'ble Minister be pleased to state whether the Land Acquisition Collector can take any notice for derequisitioning?

Mr. HAMIDUDDIN Ahmed: Yes, if the Board recommends the Land Acquisition Collector has to take notice, otherwise not.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state, arising out of his answer that the Standing Quartering Board is not the final authority, whether he is aware that the Board's decision only can come before the Land Acquisition Collector and nothing more?

Mr. HAMIDUDDIN AHMED: Yes.

Mr. SATISH CHANDRA BOSE: Will the Hon'ble Minister be pleased to state, in cases where the owners do not require improvements to be made, what action does the Hon'ble Minister propose to take to give immediate protection to the said owners?

Mr. HAMIDUDDIN AHMED: Certainly Government will do its best to give immediate protection to them.

Mr. NIKUNJA BEHARI MAITI: Sir, there are such house-owners who want their houses back even at the sacrifice of the money given. Here is our friend Mr. Basanta Lal Murarka who wants his house back even at the sacrifice of the money he receives.

Mr. HAMIDUDDIN AHMED: If my honourable friend brings to the notice of the Government any such particular case, Government will make enquiries and will try to get the house back to the owner.

Mr. NIHARENDU DUTT-MAZUMDAR: With reference to the Hon'ble Minister's answer that the Derequisitioning Board is not the final authority, do we understand that the final authority rests with the Government of Bengal?

Mr. HAMIDUDDIN AHMED: No, with the Government of India.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state what steps do the Government of Bengal think it necessary to take to speed up derequisitioning within a reasonable period of time?

Mr. HAMIDUDDIN AHMED: Government has given repeated reminders to the Government of India and the authorities concerned for derequisioning the houses.

Mr. NIHARENDU DUTT-MAZUMDAR: In view of the fact that the Government of Bengal is now a sovereign body, does not the Hon'ble Minister think it necessary to compel the authorities to quit the premises?

Mr. HAMIDUDDIN AHMED: It is not yet a sovereign body due to the opposition of my friends opposite.

Nationalisation of Calcutta Electric Supply Undertaking.

*13. **Dr. SURESH CHANDRA BANERJEE:** (a) Will the Hon'ble Minister in charge of the Commerce Department be pleased to state—

(i) whether as a result of negotiations between the Bengal Government and the Electric Supply Corporation an agreement was reached on 14th February, 1946, for the nationalisation of Calcutta Electric Supply Undertaking;

(ii) whether according to the terms of the agreement the option to purchase on various dates the 14 licences of the Calcutta Electric Supply Corporation was withdrawn and replaced by a single option to buy up the whole concern on January 1, 1950, or alternately at intervals of 20 years after that date; and

(iii) whether it was further settled that the price would be face market value *plus* 20 per cent. extra?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government propose to take over the Undertaking of the Calcutta Electric Supply Corporation from 1st January, 1950?

(c) If so, will the Hon'ble Minister be pleased to state—

(i) whether the notice of purchase is going to be given on 31st December, 1947; and

(ii) if not, why not?

Mr. HAMIDUDDIN AHMED (on behalf of the Hon'ble Mr. SHAMSUDDIN AHMED). (a)(i) As a result of negotiations between the Government of Bengal and the Calcutta Electric Supply Corporation an agreement was reached to the effect that the Corporation would apply for a consolidated licence (to replace existing fourteen licences) which would provide for an option to the Provincial Government to purchase the entire undertaking on the 1st January, 1950, and at intervals thereafter of twenty years. The Corporation applied for a licence accordingly and it was granted on the 14th February, 1946.

(ii) Yes.

(iii) The purchase price payable is as provided in sub-clauses (2) and (3) of clause 10 of the Calcutta and District Consolidated Electric Licence, 1946, which read as follows:—

10. (2) The purchase price payable upon the exercise of the said option of purchase on the 1st day of January, 1950, shall be in accordance with section 7(1) of the Act, the percentage addition being 20 (except as provided below), together with a sum equivalent to one year's gross revenue (calculated as the average of the three years 1947-1949) received by the licensees for supply of energy and rent of meters and other apparatus on consumers' premises in the area previously included in the following among the licences set out in the First Annexure thereof:—

The Bally-Uttarpara Electric Licence, 1920 (as amended in 1928).

The Howrah Electric Licence, 1926 (as amended in 1932).

The Serampore Electric Licence, 1928.

The Lillooah Electric Licence, 1930.

The Rishra-Konnagar and Kotrung Electric Licence, 1931.

The Baidyabati, Champdany and Bhadreswar Electric Licence, 1933.

The Panihati, Khardah and Titagarh Electric Licence, 1933.

The Bhatpara, Noapara, Garulia and North Barrackpore Electric Licence, 1934.

The Budge-Budge and Bauria Electric Licence, 1935:

Provided that the percentage addition in respect of any lands, buildings, works materials and plant brought into use after the 1st day of January, 1947, shall be 15 only.

(3) The purchase price payable on the exercise of the said option of purchase in 1970 or subsequently shall be—

(a) the net expenditure on the capital account of the licensees in respect of lands, buildings, works, machinery, mains, apparatus, appliances, fixtures, furniture, vehicles and other like property (including serviceable standby plant) owned and used by the licensees for the purposes of the undertaking less the total depreciation thereon calculated by applying each year the following rates on the original cost:—

		Per cent.
Plant and machinery (including foundations)	...	5
Boilers	...	6
Transformers	...	2½
Switchgear	...	5
Underground cables	...	3
Overhead lines	...	4
Services	...	3

Buildings	...	2
Tunnel	...	2
Motor cars	...	15
Office furniture and equipment	...	10
Physical assets not otherwise provided for unless a special rate is agreed with the Provincial Government	...	5 and

(b) the value of the stores spare parts and loose tools in use or available and suitable for use at the date of purchase for the purposes of the undertaking at such price as may be agreed, or, failing agreement, as may be determined by arbitration.

(b) and (c) The matter is under consideration now.

Dr. SURESH CHANDRA BANERJI: With reference to answer (a) (iii), does not the Hon'ble Minister consider the price fixed as too high?

Mr. HAMIDUDDIN AHMED: High or low, it has already been settled.

Dr. SURESH CHANDRA BANERJI: Will the Hon'ble Minister be pleased to explain whether it was settled during the administration under Section 93 or during the normal functioning of the Ministry?

Mr. HAMIDUDDIN AHMED: I think it was under section 93.

Dr. SURESH CHANDRA BANERJI: In view of the fact that the price was settled when the administration was under section 93, does not the Hon'ble Minister think that the price should now be considered again?

Mr. HAMIDUDDIN AHMED: I do not think it can be done because it was a solemn undertaking by the Government of the time.

Mr. BIMAL CHANDRA SINHA: On a point of order, Sir. In the presence of the Hon'ble Minister is it permissible for the Parliamentary Secretary to reply on his behalf? Are we to understand that the Ministers have become such great *Nawabs* that they cannot take the trouble of answering questions?

Mr. DEPUTY SPEAKER: Such an opinion is unwarranted. He is entitled to reply in the presence of the Minister.

The Hon'ble Mr. SHAMSUDDIN AHMED: My friend is a newcomer. He should have learned the etiquette of a House like this. I am not a *Nawab* yet, but when I am a *Nawab*, I will turn him out of this House.

Mr. BIMAL COMAR GHOSE: On a point of privilege, Sir. If I have heard him aright, the Hon'ble Minister has said that if he had been a *Nawab*, he would have turned him out of the House.

The Hon'ble Mr. SHAMSUDDIN AHMED: He said *Nawab*. He has no business to use that language.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, is the observation gratuitously made by the Hon'ble Minister Mr. Shamsuddin Ahmed considered as being in order by you?

The Hon'ble Mr. MOHAMMED ALI: What the Hon'ble Minister wanted to say was this that had he been the *Nawab* of Bengal——.

Mr. BIMAL COMAR GHOSE: It is not for you, it is for the Deputy Speaker to say.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, will you allow the Hon'ble Minister to usurp the function of the Speaker?

Mr. DEPUTY SPEAKER: I want to hear him. Will you kindly take your seat?

The Hon'ble Mr. MOHAMMED ALI: On a point of order, Sir. A question of privilege has been raised whether a member was in order to say "I will turn him out". What the Hon'ble Minister wanted to say is this. Had he been the *Nawab* of Bengal which meant autocratic authority in the province, he would have turned the member out of the House because there would have been no House, no Legislature functioning.

Mr. DEPUTY SPEAKER: A question of privilege has been raised. I do not think it is a question of privilege at all. So far as this matter is concerned, the provocation was given by Mr. Sinha and it was that provocation that evoked that observation from the Hon'ble Mr. Shamsuddin Ahmed. Probably the Hon'ble Mr. Shamsuddin Ahmed failed to notice that I had already called Mr. Sinha to order for making this unparliamentary and unwarranted observation. I think the Hon'ble Minister should not also have made his observation. The matter is closed now.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state when he will come to a decision?

Mr. HAMIDUDDIN AHMED: Very soon.

Mr. NIKUNJA BEHARI MAITI: On a point of order, Sir. The Secretary read out the name of the Hon'ble Mr. Shamsuddin Ahmed and yet another gentleman—he may be the Parliamentary Secretary—stood up and read out the answer in place of the Hon'ble Minister and he did that in the presence of the Hon'ble Minister. In that case the name should have been changed. We cannot say that the Hon'ble Mr. Shamsuddin Ahmed is not the gentleman answering the question.

Mr. DEPUTY SPEAKER: It is the practice in this House that Parliamentary Secretaries do reply on behalf of the Hon'ble Ministers.

Dr. SURESH CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state whether it is within the competence of the present Ministry to revise the price?

Mr. HAMIDUDDIN AHMED: I do not think the Ministry should interfere in the matter which has already been settled by the previous Government.

Dr. SURESH CHANDRA BANERJI: Sir, my question was whether it was within the competence of the present Ministry.

The Hon'ble Mr. SHAMSUDDIN AHMED: Yes.

Dr. SURESH CHANDRA BANERJI: In view of the answer given by the Hon'ble Minister and in view of the fact that the price is too high, will the present Ministry reconsider the price?

Mr. HAMIDUDDIN AHMED: Government will consider the suggestion made by the honourable member.

Mr. MUHAMMAD ISRAIL: With reference to answers (*b*) and (*c*), will the Hon'ble Minister be pleased to state for how long the matter is under the consideration of the Government?

Mr. HAMIDUDDIN AHMED: The time is far off—it is in the month of January, 1947. In the meantime, Government will come to a final decision.

Dr. SURESH CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state whether the Calcutta Corporation wrote to the Government of Bengal in January, 1946, to reduce the period of interval from 20 years to 5 years, and if so, what was the answer given?

Mr. HAMIDUDDIN AHMED: I want notice.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether the present Government of Bengal consider it desirable to review the question of price fixed for the purchase of the concern?

Mr. HAMIDUDDIN AHMED: I have already answered that.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether the present Government of Bengal, now declared sovereign, will take direct action to have the electricity concern nationalised?

Mr. DEPUTY SPEAKER: I do not allow this question.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether speedy steps will be taken for the nationalisation of the Electric Supply Corporation within a limited period of time—within this year?

Mr. HAMIDUDDIN AHMED: Have you withdrawn the word "sovereign"?

Mr. DEPUTY SPEAKER: Mr. Ahmed, when I have disallowed the question, the question of withdrawal does not arise.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether the Government of Bengal are contemplating speedy steps for the purpose of nationalisation of the Electricity Supply undertaking within a limited period of time—within this year?

Mr. HAMIDUDDIN AHMED: Yes.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state why a hasty decision was arrived at by the section 93 regime when the popular Ministry was to resume office on the 24th April?

Mr. HAMIDUDDIN AHMED: It is not for this Ministry to answer.

Dr. SURESH CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state whether he considers the period of interval of 20 years as too high?

Mr. HAMIDUDDIN AHMED: Yes, 20 years is too high.

Dr. SURESH CHANDRA BANERJI: In view of the answer given by him, will the Hon'ble Minister please raise the question again and try to reduce it to 5 years?

Mr. HAMIDUDDIN AHMED: I have already answered that the suggestion of the honourable member will be taken into consideration by the Government.

Mr. K. NOORUDDIN: In reply to a question put by an honourable member the Hon'ble Minister said that he was thinking of speedy nationalisation. Does nationalisation mean Hinduisation or otherwise?

Mr. HAMIDUDDIN AHMED: Not Hinduisation.

Mr. NIHARENDU DUTT-MAZUMDAR: With reference to my last supplementary question the Hon'ble Minister answered "yes". Would he please state what he meant by saying "yes"?

Mr. HAMIDUDDIN AHMED: Steps will be taken to nationalise the Electric Supply Corporation.

Mr. NIHARENDU DUTT-MAZUMDAR: Within this year?

Mr. HAMIDUDDIN AHMED: No, within the stipulated period. We cannot do it before the 1st January, 1950. The earliest period for serving notice is the 1st January, 1950.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, the Hon'ble Minister failed to understand my question. May I repeat my question?

Mr. DEPUTY SPEAKER: Yes.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether the present Government of Bengal consider the desirability of taking speedy steps for the purpose of nationalisation of the Calcutta Electric Supply undertaking within a limited period of time—within this year?

Mr. HAMIDUDDIN AHMED: I have nothing further to add to my reply already given.

Dr. SURESH CHANDRA BANERJI: With reference to answer (*b*) and (*c*), will the Hon'ble Minister be pleased to state what matter is under consideration?

Mr. HAMIDUDDIN AHMED: Government have not yet finally decided whether they will purchase all the undertakings from the Calcutta Electric Supply Corporation.

Mr. D. GLADDING: Will the Hon'ble Minister be pleased to state whether it is a fact that if the Government of Bengal propose to purchase the Calcutta Electric Supply Corporation undertaking on the 1st January, 1950, they have to give two years' notice to the Calcutta Electric Supply Corporation? In other words they have to come to that decision before the 1st January, 1948.

Mr. HAMIDUDDIN AHMED: Under the agreement which was entered into between the Calcutta Electric Supply Corporation and the Government in February, 1946, the notice has to be given on the 1st January, 1948.

Dr. SURESH CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state whether it is not a fact that notice of purchase is to be given by 31st December, 1947, or earlier and not after that?

Mr. HAMIDUDDIN AHMED: Yes.

Dr. SURESH CHANDRA BANERJI: If so, will the Hon'ble Minister be pleased to state what matter is under consideration?

Mr. HAMIDUDDIN AHMED: Government has option to purchase. If Government finally decide to purchase then according to the agreement Government will serve notice on the Electric Supply Corporation.

Dr. SURESH CHANDRA BANERJI: Am I to understand that Government has not yet settled whether they will purchase the Electric Supply Corporation undertaking or not?

Mr. HAMIDUDDIN AHMED: Government has not yet decided that.

Mr. BIMAL COMAR GHOSE: The Electricity Supply Sub-committee of the Post-War Reconstruction Committee of Government went into this matter and recommended that these undertakings should be taken up by Government. Is it a fact that the other matters which were still under the consideration of Government are for giving effect to the decision and wishes of the Calcutta Electric Supply Corporation and the European Party in this Assembly?

Mr. HAMIDUDDIN AHMED: The question is lengthy. I cannot follow the question.

Mr. DEPUTY SPEAKER: Mr. Ghose, please repeat your question.

Mr. BIMAL COMAR GHOSE: In view of the fact that the question of taking over these Calcutta Electric Supply undertakings by Government was considered by the Electricity Supply Sub-committee of the Post-War Reconstruction Committee which recommended Government taking over these undertakings, is it a fact that the matters that were still under the consideration of Government for giving effect to that are the wishes of the Calcutta Electric Supply Corporation and the European party in the Bengal Legislative Assembly?

Mr. HAMIDUDDIN AHMED: No, it is not so.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state whether there is any difficulty to take over the undertaking of the Calcutta Electric Supply Corporation from 1st January, 1950?

Mr. HAMIDUDDIN AHMED: There is not much difficulty.

Mr. NIHARENDU DUTT-MAZUMDAR: With reference to answer (*a*)(*i*) providing for option to the Provincial Government to purchase the entire undertaking on the 1st January, 1950, will the Hon'ble Minister be pleased to state whether the present Government has decided as yet whether it is going to exercise that option or not?

Mr. HAMIDUDDIN AHMED: I have already answered in reply to so many questions that Government is still considering. It has not yet come to a final decision.

Mr. NISHITHA NATH KUNDU: With reference to answer (*b*) and (*c*), namely, "The matter is under consideration now", will the Hon'ble Minister please clarify whether the matter of purchasing the undertaking is under consideration or the matter of purchasing the undertaking from 1st January, 1950, is under consideration?

Mr. HAMIDUDDIN AHMED: The matter of purchasing the undertaking is under consideration. If it is finally decided to purchase the undertaking, necessary steps will be taken.

Dr. SURESH CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state how long has the matter been under consideration?

Mr. HAMIDUDDIN AHMED: Government is still considering the matter and has not yet come to a decision.

Mr. SATISH CHANDRA BOSE: Will the Hon'ble Minister be pleased to state whether he considers that the depreciation has been allowed at rates too low and the purchase price has not been fixed at a high figure?

Mr. HAMIDUDDIN AHMED: Will the honourable member kindly repeat his question?

Mr. SATISH CHANDRA BOSE: Does the Hon'ble Minister consider whether the depreciation has been allowed at rates too low and the purchase price has been fixed at a high figure?

Mr. HAMIDUDDIN AHMED: It is a matter of opinion.

Mr. D. GLADDING: Will the Hon'ble Minister be pleased to state whether it is not a fact that the purchase price, if purchase is made in 1950, is cheaper than that laid down in section 7 of the Act by reason of the fact that instead of an addition of 20 per cent. there is an addition only of 15 per cent. in respect of assets after 1st January, 1947?

Mr. HAMIDUDDIN AHMED: That is also a matter of opinion.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether in considering the matter Government has taken into account the enormous profits made out of the concern in the course of the last ten years?

Mr. HAMIDUDDIN AHMED: I have nothing further to add.

Mr. NIHARENDU DUTT-MAZUMDAR: Has Government any definite information as to the amount of profit made by this concern during the last ten years on which they can fix the price for the purchase?

Mr. HAMIDUDDIN AHMED: Of course the company has made some profits.

Mr. NIHARENDU DUTT-MAZUMDAR: Has Government any information as to what is the amount of that profit?

Mr. HAMIDUDDIN AHMED: I want notice.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister think it over and tell this House definitely whether Government has got definite information as to the amount of profit made by the concern during the course of the last ten years?

Mr. HAMIDUDDIN AHMED: The suggestion of the honourable member will be considered by Government.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Alleged shooting of a peasant by police constable of Amtali police-station.

2. **Mr. RUP NARAYAN ROY:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that on the 26th May, 1946, an elderly *Mug* peasant, Kyadaung by name, of Bethipara, police-station Amtali, district Barisal, was shot dead by a certain police constable?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps have been taken by Government in the matter?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) I have received no report regarding the death of any person by the name of Kyadaung as a result of firing by any police constable.

(*b*) Does not arise.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether any other person by any other name was actually shot dead by the police on that day? I refer to his answer (*a*).

Mr. HAMIDUDDIN AHMED: Yes.

Mr. NIHARENDU DUTT-MAZUMDAR: What is the name of the person dead?

Mr. HAMIDUDDIN AHMED: The deceased's name is Chandu Magh.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state the circumstances in which this unfortunate person was shot dead by the police?

Mr. HAMIDUDDIN AHMED: The police had to open fire in self-defence. There was no other alternative in order to save life.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state in what circumstances was it necessary for the police to open fire in self-defence?

Mr. HAMIDUDDIN AHMED: *The police was attacked by a mob of 60 to 70 persons with deadly weapons.*

Mr. JYOTI BASU: Will the Hon'ble Minister be pleased to state who was the officer-in-charge who conducted investigation and what precise investigation has been made by Government into this matter of firing?

Mr. HAMIDUDDIN AHMED: Superintendent of Police.

Mr. JYOTI BASU: What was the rank of the officer who shot dead the person?

Mr. HAMIDUDDIN AHMED: I want notice.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to give us the result of the investigation by the Superintendent of Police?

Mr. HAMIDUDDIN AHMED: The Superintendent of Police agreed that the police officer had to open fire in self-defence. He had no other alternative to save his life.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister consider the desirability of having a judicial enquiry into the matter?

Mr. HAMIDUDDIN AHMED: Government is satisfied with the report of the enquiring officer.

Mr. DHIRENDRA NATH DATTA: Will he lay on the table the report of the Superintendent of Police who made the enquiry?

Mr. HAMIDUDDIN AHMED: It is a confidential report and cannot be laid on the table.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state whether any evidence was taken by the Superintendent of Police in this matter?

Mr. HAMIDUDDIN AHMED: A thorough enquiry was made by the Superintendent of Police.

Mr. DHIRENDRA NATH DATTA: I want to know whether any evidence was taken by the Superintendent of Police?

Mr. HAMIDUDDIN AHMED: I have nothing further to add.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state as to what was the rank of the officer who was in charge of the police on the spot at the time of firing?

Mr. HAMIDUDDIN AHMED: I want notice.

Dr. PROTAP CHANDRA GUHA ROY: Will the Hon'ble Minister be pleased to state what was the name of the police officer who gave the order for shooting?

Mr. HAMIDUDDIN AHMED: I want notice.

Mr. JYOTI BASU: Will the Hon'ble Minister be pleased to state whether after investigation a thorough report has been received by Government?

Mr. HAMIDUDDIN AHMED: Yes, Government have got a report.

Mr. JYOTI BASU: If there is a report in the possession of Government, will the Hon'ble Minister be pleased to state why is it that he does not give the name of the officer who shot dead this person?

Mr. HAMIDUDDIN AHMED: If my honourable friend would put another question, I shall be too glad to answer that, but in the absence of any file with me, I am sorry I cannot answer that question. (Laughter from the Congress benches).

Mr. JYOTI BASU: On a point of Order, Sir. Now that a question has been put to Government, the Hon'ble Minister cannot plead that as he has not got the report on his table here he cannot reply. My point of order is this that Government has no business to give a reply when they have not the full report handy on such a serious matter.

Mr. HAMIDUDDIN AHMED: I am afraid, my friend's question was not at all relevant. The question was very simple—whether any such person was killed. The honourable member ought to have thanked me that I have given so much information to the House. I have answered all the relevant questions put to me.

Mr. DEPUTY SPEAKER: Mr. Basu, the reply which the honourable Parliamentary Secretary has given tantamounts to asking for notice.

Mr. NIHARENDU DUTT-MAZUMDAR: On a point of Order, Sir. Did not Government get sufficient notice before coming up with this answer and did not the Hon'ble Minister foresee that other information might be required by members on the floor of the House and was it not the duty of Government to be ready with all possible replies relevant to the questions that might be asked?

Mr. HAMIDUDDIN AHMED: Government is fully prepared to answer any relevant supplementary questions arising out of the main question. (Loud noise from the Opposition benches.)

Mr. HARIPADA CHATTERJEE: All questions allowed by the Speaker are relevant

Mr. BIMAL COMAR GHOSE: Sir, is the Parliamentary Secretary allowed to say what questions are relevant and what are not? This is a matter absolutely for you to decide.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, it is for the Hon'ble Minister to satisfy you and this House as to whether it is not a clear instance of negligence on the part of Government on matters of grave public importance not to reply to questions when they have received notice 10 days before. We would like to know whether you will help this House to see that proper answers are obtained from Ministers after due notice has been given.

Mr. HAMIDUDDIN AHMED: I would draw honourable member's attention to question *(a)*. There it is specifically mentioned whether any such person was killed. Government has replied that no such person was killed. The subsequent question *(b)* does not arise out of the question. Any question put should be relevant.

Mr. NIHARENDU DUTT-MAZUMDAR: The question was clear and specific but in the answer, I would point out, an attempt was made to evade. Government cannot resort to evasion in matters of such grave importance. It is expected that on members giving notice in pursuance of their privilege according to the rules of this House Government instead of resorting to evasion ought to give *bona fide* and straightforward answers and furnish this House with as much facts as possible.

Mr. SURESH CHANDRA DAS GUPTA: মন্ত্রী মহাশয় পূর্ব্বে বলেছেন যে Superintendent of Police যে enquiry করেছেন সেটা confidential.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Sir, are you allowing a discussion on this point?

Mr. DEPUTY SPEAKER: Order, order. Mr. Dutt-Mazumdar, you have raised a point of order. Your contention is that your question entitles you to put these supplementary questions. I do not want to make any comment after allowing you to put supplementary questions which you have put; but if you will kindly read your question again, you will find that you specifically named a person called Kyadaung. If you would have mentioned the name of Kyadaung and added "or any one else" you would have been perfectly entitled to put supplementary questions on the lines you have put. You have not now any indefinite scope for putting supplementary questions on that line. I, however, allowed those supplementary questions because I thought it was a very important matter that one person might have been shot dead. The Parliamentary Secretary has also replied to the questions as much as it is possible for him to do. Since he stated that relevant files were not before him I think it is not proper for you to pursue the matter further.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, in that case, this question may be allowed to stand over until all the relevant files are put before the Hon'ble Minister.

Mr. DEPUTY SPEAKER: I think I cannot allow this question to stand over. If you want to elicit further information you can put another question.

Granting free use of firearms for self-protection.

3. Dr. A. M. MALIK: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) whether it is a fact that the members of the European and Anglo-Indian communities have been granted free use of guns and revolvers for their self-protection;

(*b*) if so, what is the number of such firearms possessed by them; and

(*c*) whether the Government are considering the desirability of making such grant to Indians as well, for self-defence?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) No.

(*b*) and (*c*) Do not arise.

Mr. NIHARENDU DUTT-MAZUMDAR: With reference to question (*a*) "whether it is a fact that the members of the European and Anglo-Indian communities have been granted free use of guns and revolvers for their self-protection", and with reference to the answer of the Hon'ble Minister in the negative, will he be pleased to state what are the limitations on the use of guns and revolvers that the Government have imposed in the matter of granting such arms to members of the European and other foreign communities?

Mr. HAMIDUDDIN AHMED: There has been no change in the policy of Government regarding grant of licence for guns and revolvers for self-protection and I have nothing further to add.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state what are the limitations imposed in the matter of issuing permits for guns and revolvers to the members of the European community?

Mr. HAMIDUDDIN AHMED: A fresh notice is called for.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether there are any specific difference in the matter of granting such permits for use by Indians and Europeans?

Mr. HAMIDUDDIN AHMAD: I want notice.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state what are the particular type of arms allowed for the purpose of self-protection to the members of the European community?

Mr. HAMIDUDDIN AHMED: I want notice.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether Government is in a position to inform this House as to what proportion of the European community are allowed permits for the use of such arms?

Mr. HAMIDUDDIN AHMED: I would request my friend to put the question in a proper form.

Mr. NIHARENDU DUTT-MAZUMDAR: It is not for the Hon'ble Minister to say that the question is not in proper form. He is usurping your right. I am asking you whether my question has been in proper form. I am at your disposal.

Mr. DEPUTY SPEAKER: The question is in proper form. Question time is over.

Adjournment motions.

Mr. GANENDRA CHANDRA BHATTACHARJEE: Sir, I gave notice to move an adjournment of the House regarding the firing on the Hindu public at Narayanganj resulting in the death of one, Phanindra Pal and injury to others. But I understand that the Chief Minister has gone to the spot to enquire into the matter and that Government is also prepared o give all facilities to us in asking supplementary questions on the question that has been tabled. So I do not wish to move this adjournment motion.

Mr. DHIRENDRA NATH DATTA: Sir, I gave notice of an adjournment motion——.

Mr. DEPUTY SPEAKER: Order, order. I have given consent to the adjournment motion of which the honourable member who has just now spoken gave notice, but it is not necessary for me to say anything further after what he has said on the floor of the House just now.

Mr. DHIRENDRA NATH DATTA: Sir, he has already withdrawn his adjournment motion in view of the assurance given by Government in connection with the reply to the short-notice question tabled by Mr. Gupta. Sir, I have also given notice of another adjournment motion——.

Mr. DEPUTY SPEAKER: Have you got my consent?

Mr. DHIRENDRA NATH DATTA: No, the consent has been refused and I want to know why it has been refused. It arises out of the declaration of a holiday for the 16th August. Mr. Deputy Speaker, you know that 16th August has been declared a Direct Action Day by the Muslim League in order to achieve Pakistan and is mainly aimed at the Congress——. (Loud noise and interruptions and table-thumping from both sides of the House.)

Mr. DEPUTY SPEAKER: Order, order. Mr. Datta, will you please sit down when I am on my legs?

Mr. DHIRENDRA NATH DATTA: The 16th of August has been declared to be a public holiday. Let the Ministry encourage——(Loud noise and interruptions again)——reasonable apprehensions in the mind of the general public. We think that this matter ought to be discussed because a situation has arisen——(Loud noise from the Government as well as from the Congress side.)

Mr. DEPUTY SPEAKER: Order, order. Mr. Datta, it is very unfortunate that in spite of my being on my legs and asking you to sit down you have not cared for the dignity of the House in reading out what you wanted to read out on the floor of the House. Before I deal with this matter I hereby ask the Press Correspondents not to record what has been said already by Mr. Datta. Mr. Datta, after what you have done, I am under the painful necessity of asking you to apologise for the conduct which you have exhibited on the floor of the House today.

Mr. NISHITHA NATH KUNDU: Sir, you have passed an order without hearing the Deputy Leader of our party. We are certainly not going to abide by your decision——. (Loud noise.)

Mr. HARIPADA CHATTERJEE: You have no business to call for the apology of our Deputy Leader. This is simply highhandedness. I do say so——(Loud noise from the Government benches and counter replies from the Congress side.)

Mr. DEPUTY SPEAKER: Will you withdraw what you have said just now?

Mr. HARIPADA CHATTERJEE: I won't withdraw but I do say so again.

Mr. NIHARENDU DUTT-MAZUMDAR: I have something to submit very respectfully to you, Sir.

Mr. DEPUTY SPEAKER: I will give you a chance after I have disposed of this matter——(Loud noise and protests from the Congress benches.)

Mr. HARIPADA CHATTERJEE: I say again that it is highhandedness on your part.

Mr. NIHARENDU DUTT-MAZUMDAR: I hope, Sir, you will make amends and rectify what you have just now said. Only if you do so now, it will allow us to make our respectful submissions to you.

Dr. PROTAP CHANDRA GUHA ROY: You must first apologise for what you have said.

Mr. NIHARENDU DUTT-MAZUMDAR: I hope, Sir, you will not allow heat to generate in this House. I must say that it was an unfortunate slip of tongue on your part when you said, "this man". I hope you will rectify it by making that point clear on the floor of the House.

Mr. DEPUTY SPEAKER: I am afraid you have not heard me properly. The honourable member himself has said "this man", but I have said, "this matter".

Mr. NIHARENDU DUTT-MAZUMDAR: Your statement is certainly accepted. If you have said "this matter" and not "this man", it must be accepted by the House. In connection with the point you have raised about Mr. Datta, I would request you, Sir, to please allow me to make a submission to you and I hope, Sir, you will appreciate that there was a grave misunderstanding on your part which led you to call for an apology from Mr. Datta which was not at all warranted. My submission is this: if I may remind you and also members of the House who will, I am sure, maintain some amount of detachment and judgment. Mr. Datta got up on the matter of an adjournment motion which he had tabled and while he was reading it out—some portion of it——. (Interruptions from the Government benches.) You may contradict it but please have the courtesy to hear me. While Mr. Datta was so reading from his paper with his eyes fixed on that portion which he was reading, there was such a din and bustle on the other side that it was impossible for Mr. Datta either to hear

you or to see that you were on your legs. Is it therefore proper for you, in the first instance, to call for an apology from Mr. Datta instead of calling to order the members on the other side of the House in spite of their table-thumping and in spite of their threats of "direct action"——. (Loud cries from the Government and also from the Congress benches.)

Mr. DEPUTY SPEAKER: But Mr. Datta has not said what you are saying now——.

Mr. NIHARENDU DUTT-MAZUMDAR: But you have without hearing him called for an apology from him which is most unfortunate and unprecedented.

Mr. DEPUTY SPEAKER: I appreciate the spirit in which you have made the observations. If really Mr. Datta did not see that I was on my legs, he must have said so.

Mr. NIHARENDU DUTT-MAZUMDAR: But without hearing a statement from Mr. Datta you could not ask for an apology.

Mr. DEPUTY SPEAKER: I am prepared to accept a statement from my friend if he says that he did not see that I was on my legs. You are making the statement in his presence and unless he makes a statement of this nature, I am not prepared to accept it.

Mr. NIHARENDU DUTT-MAZUMDAR: Did you not see Mr. Datta reading a paper and after having seen it yourself, how could you, without hearing anything from Mr. Datta, reasonably call for an apology from an honourable member of the House is more than I can say. It seems that some of the honourable members on the other side have made up their mind at least to take the direct action of drowning our voices and not allowing us to make our submissions to the Deputy Speaker. But I must say that the honourable members on the other side must know that in this venture of direct action they cannot cow us down on this side of the House. We have seen their belated imitation of direct action which is the best form of flattery to the Congress——(Loud noise and interruptions from both sides of the House). Sir, if I am interrupted I owe an obligation to return that compliment to the interruptors. If you do not exercise your authority to see that members of the other side extend the courtesy to the Deputy Leader of the Congress party, you cannot expect the same courtesy from this side, for I would most respectfully submit to you that courtesies are reciprocal. The members of the other side may thus shabbily treat the Deputy Leader of the Opposition in this way. Let not those members remain complacent that by virtue of their 118 majority votes they can ride roughshod over the rights of the speakers, over the rights of the members of this House. I would humbly request you, Sir, to reconsider your decision regarding apology and then Mr. Datta will be in a position to have his say and not before.

Mr. ABDUL MOMIN: Both sides should be allowed to speak if it is a platform and I believe if people are allowed to speak there are people on both sides who can speak for hours together.

Mr. NIHARENDU DUTT-MAZUMDAR: We would like to hear from the Deputy Speaker.

Mr. DEPUTY SPEAKER: I would like to hear Mr. Roy.

Mr. KIRAN SANKAR ROY: Mr. Deputy Speaker, I am sorry for the excitement. Sir, I know what is due to you, I know that unless the dignity of the Chair is maintained, this House will be a sort of bear garden. But, at the same time, Sir, I want you to realise—I say this very humbly—I want you to realise, you being a new member of this House, that precious as your dignity is, equally precious is the dignity of every member of this House.

You should not have, if I may say so, asked Mr. Datta to apologise. The provocation came from the other side (Cries of "No," "no" from Government benches and "Yes", "yes" from Opposition benches) and considering the situation I am directing the Deputy Leader of this Party not to offer any apology to you.

Mr. FAZLUR RAHMAN: On a point of order. I am really sorry that the Leader of the Congress Party has instead of helping you asked his Deputy Leader not to apologise to you. It was rather surprising that the Deputy Leader of the Congress Party, an old member of this House, should have taken up an attitude which is derogatory to the dignity of the Chair and the dignity of this House and to himself. Now, it is not unknown to him that when consent is refused he cannot read the statement—it is not unknown to him—and it is also known to him when you were on your legs and when you were giving directions he cannot go on talking. Sir, when your directions were not being followed by the Deputy Leader of the Congress Party; then the other side began to table-thump and shout.

Dr. PROTAP CHANDRA GUHA ROY: On a point of order.

Mr. FAZLUR RAHMAN: I am on a point of order.

Mr. DEPUTY SPEAKER: What is your point of order, Dr. Guha Roy?

Mr. FAZLUR RAHMAN: I am on a point of order. Let me finish. Sir, we expected a more dignified conduct from the Deputy Leader of the Congress Party and we still hope and appeal to the Leader of the Congress and to the Deputy Leader that they will restore the dignity of this House by obeying your order.

Mr. NIHARENDU DUTT-MAZUMDAR: I would respectfully submit that the dignity of this House can be restored by showing wholeheartedly that without very considered fore-thought and without taking into account all the circumstances no member can be called upon to own up any wrong if he has committed it. I think that the situation requires that you, Sir, on your part may be pleased to recognise and appreciate that due to misunderstanding you called for an apology from Mr. Datta and it is meet and proper that you should now say that you do not demand an apology.

Mr. HARIPADA CHATTERJEE: I want to submit, would you ask all the members of that side to apologise to our Deputy Leader because they were howling him down. (Interruptions and noise from Government benches.) They ought to know how to behave, how to conduct themselves in this House.

Mr. DEPUTY SPEAKER: I have heard with great respect what has fallen from the lips of the Leader of the Opposition, but I want to make some observations before I announce my decision. I am really surprised to find that honourable members are not—some of them at least are not—conscious of the responsibility they have in maintaining the dignity of the Chair which virtually means the dignity of the House. If members do not pay attention to and obey the decision of the Chair, it is impossible to conduct the proceedings of this House. Mr. Niharendu Dutt-Mazumdar first wanted to plead that the honourable Deputy Leader of the Opposition did not see or hear me. In spite of this suggestion from Mr. Niharendu Dutt-Mazumdar, the honourable Deputy Leader of the party did not come forward with any statement corroborating that of Mr. Dutt-Mazumdar. After some time Mr. Dutt-Mazumdar shifted his grounds. First he was in a mood to think and say that really an unfortunate incident has happened on the floor of this House. Subsequently he meant to say that it is the Chair which should really withdraw that order because, in his opinion, the Chair was not justified in calling for an apology from the honourable Deputy Leader of the Opposition. The Leader of the Opposition stood up and I was

thinking that the matter would end there, but unfortunately he also observed that in view of certain observations made—not exactly observations but sounds made—by certain members he would not advise the Deputy Leader to make amends for what he had done.

In these circumstances I think it is not proper for me to continue the proceedings of the House any further. It was really unfortunate that the honourable Deputy Leader began to read out the reasons for his motion. He stood up to enquire of the reasons of my refusing consent. I was willing to speak out my reasons for refusing consent and in fact it was for that purpose that I took my stand. Instead of hearing my reasons for refusing consent, he went on reading out the reasons of his motion. In these circumstances I will adjourn the House for 15 minutes in order to consider what further steps may be taken for restoring the dignity of the House.

I would again appeal to the Leader of the Opposition as well as the Leader of the House to see if something can be done for restoring the dignity of the House, and I would be glad if they would kindly meet me at the Speaker's Chamber.

(As this stage the House was adjourned for 15 minutes.)

(After adjournment.)

Mr. KIRAN SANKAR ROY: Mr. Deputy Speaker, I am sure everybody in this House will be sorry for the incident that took place. We have, it is superfluous to say, confidence in you, but, Sir, we had tabled a motion,—an adjournment motion, to discuss the situation arising out of the Government having declared the 16th of August a public holiday. We consider this utterly wrong and improper. We consider it wrong, because it is using the authority of the Government to give effect to the decision of a party, and a communal party——.

Mr. HAMIDUDDIN AHMED: On a point of order, Sir. Is the Leader of the Opposition entitled to make a speech on the motion? He was making a speech on the merits and demerits of the motion.

Mr. KIRAN SANKAR ROY: It is not a speech; it is a statement.

Mr. HAMIDUDDIN AHMED: He was criticising the action of Government.

The Hon'ble Mr. MOHAMMED ALI: Sir, I hope you will permit me a couple of minutes to explain the Government point of view in this matter.

Mr. DEPUTY SPEAKER: I hope everyone will kindly hear the Leader of the Opposition first. My request to the Leader of the Opposition is that he should not bring in any controversial matters.

Mr. KIRAN SANKAR ROY: Mr. Deputy Speaker, I know my limitation. I was not discussing the adjournment motion of my friend, Mr. Datta. I was just explaining what we intended to do. You have overruled that and I know that in this House your decision is final and we accept it as final, but as a protest against this policy of the Government to give effect to a party decision through governmental authority, we are withdrawing from this House. We will not participate in the business of the House today, but that does not mean any disrespect to you or to the House.

The Hon'ble Mr. MOHAMMED ALI: Will the Leader of the Opposition kindly hear me for one minute?

(At this stage the Congress Opposition members *en bloc* left the Chamber.)

Sir, he should hear the Government point of view. The wisdom of Government's action in declaring the 16th August as a holiday has been amply justified and demonstrated by the unfortunate incident that we witnessed in this House. It is in the interest of peace and tranquillity

of the province that Government decided to declare 16th August as a holiday, because they apprehended that as there was clash of ideologies between the two political parties, if one political party tries to create a strike or a *hartal* and another party is bent upon minimising the efforts of another political party, there is bound to be a clash—a communal clash and bickering. In order to avoid that Government decided that the 16th August should be declared as a holiday.

Apart from that, though that was the main consideration that weighed with Government, another secondary consideration was that the Constitution allows the members of the Council of Ministers to retain their political existence. So the Chief Minister of the province has a dual personality. He is not only the Chief Minister of the Government of Bengal but he is also the Leader of a Parliamentary Party—he is the leader of a political organisation. When there is a decision of that political organisation, he is to abide by that decision, he is to side with the persons who are going to request persons very peacefully to abstain from performing their normal duties. On the other hand, he is also the Chief Minister of the province and he is charged with the duty of maintaining peace and tranquillity in the province. On the one hand he cannot ask the people to prevent persons from performing their normal avocations of life but he is also to see, as the head of the Government, that not only the normal activities of Government but also of private individuals function. Therefore, Sir, he is actually, so to speak, between the two horns of a dilemma. Therefore in order to see that there is no trouble in the province, there is no clash—communal clash, there is no communal bickering or communal fracas, I think the Government's decision to declare the 16th August as a holiday is wise and its wisdom has been demonstrated by the unfortunate incident that we have seen today. A good deal of heat was generated in this House and if the 16th of August had not been declared a holiday, a good deal of heat would have been generated in the province outside the House also. Therefore, I submit that Government were justified in declaring the 16th of August a public holiday.

Mr. JYOTY BASU: Sir, may I be allowed to make a statement on the floor of this House——.

Mr. DEPUTY SPEAKER: I think this matter should be closed now. We should proceed with the normal business of the House.

Mr. JYOTI BASU: Will you give me just one minute? I shall explain to you why I am rising to speak.

Mr. DEPUTY SPEAKER: No, Mr. Basu, I don't want to pursue the matter any further.

Mr. JYOTI BASU: It is a very important matter, Mr. Deputy Speaker, and I would request you just to allow me five minutes. I would like to make a statement because today we are faced with an unparallelled situation in this House. I am new in this House and I would request you again to kindly allow me 5 minutes time.

Mr. FAZLUR RAHMAN: On a point of order, Sir. It is a privilege only of the Leader of the House and the Leader of the Opposition to make a statement on a subject which is outside the order paper. There is no other member in this House who is entitled to make any such statement. I respectfully draw your attention to this.

Mr. JYOTI BASU: I think some honourable members of Government Party are afraid of what I am going to say. As a member of a third party—the communist party—I would like to make a statement on this matter. It is my democratic right.

Mr. DEPUTY SPEAKER: Mr. Basu, will you kindly take your seat? You might speak something which might please every honourable member of this House, but I do not want to pursue the matter any further. I won't allow anyone else to speak on the subject any more.

Mr. JYOTI BASU: It is not a question of pursuing the matter, Mr. Deputy Speaker, Sir. Since this unfortunate incident has happened, as a member of a party, however small it may be, I would like to make a statement on that. We have heard to some extent the statements of some honuorable members in this matter and I should, therefore, be given a chance to make my point of view known to others.

Mr. DEPUTY SPEAKER: Mr. Basu, if I allow you to speak you will say something, the Hon'ble Leader of the House will say something, again the Leaders of the European Party and other groups also would want to say something and thus a regular debate will ensue.

Mr. JYOTI BASU: There will not be any debate.

Mr. DEPUTY SPEAKER: There may be a possibility of this nature, and I have, therefore, decided not to allow this matter to be discussed any further on the floor of the House.

Mr. JYOTI BASU: Are we to accept the statement as it has been uttered by Mr. Mohammed Ali?

Mr. DEPUTY SPEAKER: It is up to you to accept it or not. Nobody can compel you. Statements do not involve acceptance.

Mr. MUHAMMAD RAFIQUE: On a point of information, Sir. May I know what has become of the apology asked by the Deputy Speaker from the Deputy Leader of the Congress Parliamentary Party?

Mr. DEPUTY SPEAKER: The honourable member is absent from the House I do not think we should discuss the matter on the floor of the House in his absence

Mr. D. GLADDING: Sir, we should be very much interested to know on what grounds you disallowed the adjournment motion. Would you please tell us?

Mr. DEPUTY SPEAKER: I would be glad to tell you. I refused consent to the motion on the following grounds:—

The action of the Government is an ordinary act in the exercise of the power vested in the Government by section 25 of the Negotiable Instruments Act. I felt I would not be justified in giving consent to an adjournment motion on a matter which is an outcome of an act of the Government in the ordinary administration of law under the Negotiable Instruments Act. I will read out the language of the motion which was sought to be moved—

> "This Assembly do adjourn its business to discuss a definite matter of urgent public importance and which is of recent occurrence, namely, the situation arising out of the declaration of a public holiday on the 16th August, 1946, which has been declared a 'Direct Action Day' by the Muslim League".

Now the statement appended to the motion does not contain any evidence or statement to show that any situation has arisen as a result of the order of the Government passed under section 25 of the Negotiable Instruments Act. Nobody knows what is going to happen on the 16th of August, whether there is going to be any untoward occurrence at all. In the absence of any occurrence—recent occurrence, or in the absence of any situation arising out of the declaration of this public holiday, which, as I have observed, has been declared merely in the exercise of powers vested in the

Government under the ordinary law of the land, I was not feeling justified in giving consent to the adjournment motion. I have acted according to the dictates of my conscience and the rules laid down for this purpose, and I am further fortified in the view I have taken by one precedent of the Central Legislative Assembly. This is a ruling given by Sir Sanmukham Chetty, who was then the Deputy President of the Central Legislative Assembly, and happened to preside over the proceedings of the Central Assembly. There an adjournment motion was sought to be moved. The motion was with regard to a forfeiture order under section 23 of Act XXIII of 1931 of Bombay. The Chair ruled "I am afraid, the Chair cannot allow the adjournment motion on that point. The Bombay Government was administering an ordinary law of the land and the policy of the Local Government or the Central Government in administering the law of the land is not a matter of urgency within the rules, and as such the motion is not in order". This ruling was given on the 7th of September 1933. In view of the fact that no urgency cou'd be proved, and in view of the ruling of the Deputy President of the Central Legislative Assembly, as is found from the proceedings of that Legislature, I thought I would not be justified in giving consent to the adjournment motion.

Mr. D. GLADDING: Thank you, Sir.

Mr. JYOTI BASU: Sir, my point is this: after what we have heard from you I want to know if you are going to revise your opinion (cries of "No" "no" from the Government benches) because just now I heard Mr. Mohammed Ali saying that he fears or apprehends some sort of breach of the peace and communal trouble on the 16th of August, and that is why 16th of August has been declared a public holiday. Sir,—(interruptions).

Mr. DEPUTY SPEAKER: Order, order. Mr. Basu, that is a hypothetical question. Please take your seat.

Mr. JYOTI BASU: Sir, I have a right, a democratic right, to express myself in this House, and are you not going to hear what I am going to submit? As I was saying, Sir, Mr. Mohammed Ali has said that he apprehends a breach of the peace; that is the Government point of view it seems, but not the point of view, of common Mussalmans. You have said that you don't apprehend that breach of peace would take place. But there is a direct contradiction in that the Government thinks otherwise and therefore Government has declared the 16th to be a holiday. Therefore, I think you should, under these circumstances, revise your opinion.

Mr. DEPUTY SPEAKER: I cannot be guided by any opinion of either the Hon'ble the Leader of the House or any other member. Only because one thinks that something might happen on a problematical case of this nature, I do not see any reason or ground to revise my view. Therefore, so far as this matter is concerned, it is closed.

Now I would like to ask the Hon'ble Mr. Jogendra Nath Mandal to move that the Bengal Repealing and Amending Bill, 1945, as passed by the Bengal Legislative Council, be taken into consideration.

GOVERNMENT BILL.

The Bengal Repealing and Amending Bill, 1945 (as passed by the Bengal Legislative Council).

The Hon'ble Mr. JOGENDRA NATH MANDAL: Sir, I beg to move that the Bengal Repealing and Amending Bill, 1945, as passed by the Bengal Legislative Council, be taken into consideration.

Sir, in the Statement of Objects and Reasons everything has been clearly stated. Therefore I consider that I should not make any speech.

The motion was put and agreed to.

Clause 1.

The question that clause 1 stand part of the Bill, was then put and agreed to.

Clause 2.

The question that clause 2 stand part of the Bill, was then put and agreed to.

Clause 3.

The question that clause 3 stand part of the Bill, was then put and agreed to.

Clause 4.

The question that clause 4 stand part of the Bill, was then put and agreed to.

First Schedule.

The question that First Schedule stand part of the Bill, was then put and agreed to.

Second Schedule.

The question that Second Schedule stand part of the Bill, was then put and agreed to.

Preamble.

The question that Preamble stand part of the Bill, was then put and agreed to.

The Hon'ble Mr. JOGENDRA NATH MANDAL: Sir, I beg to move that the Bengal Repealing and Amending Bill, 1945, as settled in the Assembly, be passed.

The motion was then put and agreed to.

Adjournment.

The House was then adjourned at 5-43 p.m. till 3-30 p.m. on Tuesday, the 13th August, 1946, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 13th August, 1946, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. NURUL AMIN) in the Chair, 7 Hon'ble Ministers and 221 members.

STARRED QUESTIONS

(to which oral answers were given)

Petrol rationing.

*14. **Mr. C. W. MILES:** Will the Hon'ble Chief Minister in charge of the Home Department be pleased to state—

(*a*) whether he is aware that the continuance of petrol rationing is hindering the development of road transport and causing loss to the Provincial revenues;

(*b*) what are the reasons for the continuance of petrol rationing after the cessation of hostilities;

(*c*) whether representations have been made to the Government of India urging the cessation of petrol rationing;

(*d*) if so, what reply was received to the representations; and

(*e*) when it is expected that petrol rationing will be abolished or, failing complete abolition, will be relaxed?

Mr. HAMIDUDDIN AHMED (on behalf of the Hon'ble Mr. H. S. Suhrawardy): (*a*) Yes.

(*b*) Petrol rationing is being enforced under the orders of the Central Government and this Government is not responsible for its continuance. I am indebted to the War Transport Department of the Government of India for the following statement:—

"Petrol is not produced in most of the Empire countries and the requirements of the various units of the British Commonwealth of Nations have to be met from available Empire production *plus* imports from non-Empire countries. At present, owing to dollar complications, petrol from non-sterling areas is in a very short supply and the total amount for distribution to the Empire countries is not sufficient to meet their full demands. Strict rationing in the British Empire countries must, therefore, be continued to ensure (*a*) the availability of petrol for essential requirements; (*b*) an equitable distribution to the consuming public; and (*c*) that there is no waste of dollars through the purchase of an excessive quantity of American petrol. The falling off in demands by the Army does not make an equivalent amount of petrol available for civil purposes, any supplies thus becoming available to the Pool, are ultimately distributed periodically on a global basis."

(*c*) No. I presume that the Government of India is fully alive to the inconvenience caused by petrol rationing.

(*d*) Does not arise.

(*e*) The date at which petrol rationing will be abolished cannot yet be anticipated. The Government of India is, however, making further petrol available as and when possible. The measures so far taken in this direction

are (a) the doubling of the basic ration for private car owners with effect from August the 1st, 1945; (b) large allowances to goods vehicles and stage carriages; (c) increases in allowances to taxi-cabs; (d) the fitment of producer gas plants to new vehicles and military (disposals) vehicles transferred to civil use, is not being insisted upon. Further, vehicles already operating on producer gas are not required to fit a new plant when a competent authority certifies that the plant in use is unserviceable and not capable of further repair. For all these vehicles a suitable allowance of petrol is being made; and (e) large quantities of petrol have been released for movement of foodgrains.

It is, however, the intention of the Government of India to relax or remove petrol rationing as soon as circumstances permit such action.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us, in answer to question (e), what is the basis of the presumption of this Government?

Mr. HAMIDUDDIN AHMED: The Government of India is in direct contact with the Provincial Government and they keep the Provincial Government informed about the petrol position and the Provincial Government too have informed the Government of India about the unsatisfactory position of petrol.

Mr. DHIRENDRA NATH DATTA: In answer to question (e), the Hon'ble Minister has stated that no representation has been made but just now he has stated that representation has been made. Shall I take it that the answer is false?

Mr. HAMIDUDDIN AHMED: No, no formal representation was made to the Government of India because of the fact that the unsatisfactory petrol supply position has been communicated by the Government of India from time to time and this Government also keeps the Government of India informed about the unsatisfactory position of petrol here. No formal representation was made to the Government of India because the position with regard to the petrol supply in this province and the position of the Government of India in this respect were known to each other.

Mr. PRAMATHA RANJAN THAKUR: With reference to answer (b) will the Hon'ble Minister be pleased to state whether political unrest in the Middle East has got anything to do with petrol rationing in India?

Mr. HAMIDUDDIN AHMED: No.

Mr. BIMAL COMAR GHOSE: With reference to answer (c), sub-item (d), will the Hon'ble Minister be pleased to state if the producer gas plant has proved a failure?

Mr. HAMIDUDDIN AHMED: It has not proved a failure but some inconvenience is felt by the owners.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state why then additional petrol is being made available to cars which are fitted with producer gas plant and what inconveniences, if any, have been experienced by such cars?

Mr. HAMIDUDDIN AHMED: I want notice.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to take into consideration the desires of this House to make a formal representation on behalf of the Bengal Government to the Government of India for the cessation of petrol rationing?

Mr. HAMIDUDDIN AHMED: It is in the hands of the Government of India and this Government does not think that it is necessary to make any formal representation to the Government of India.

Mr. A. F. STARK: Will the Hon'ble Minister be pleased to state if he considers that he has no responsibility to the people of Bengal to make representation to the Government of India on the subject of cessation of petrol rationing?

Mr. HAMIDUDDIN AHMED: The Provincial Government is fully conscious of its responsibility, towards the people of Bengal, and, as such, is in touch with the India Government with respect to the position of petrol that may be available from the Government of India.

Mr. A. F. STARK: Will the Hon'ble Minister be pleased to state if he is aware that the statement in answer (*b*), is out-of-date as dollars are now available as a result of the American loan?

Mr. HAMIDUDDIN AHMED: The India Government have taken into consideration all the facts. They are not in a position to make more supply than they are doing now and, as such, the Government of Bengal which is enforcing rationing in motor spirit cannot relax it.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if any informal representation has been made to the Government of India in this matter and, if so, what?

Mr. HAMIDUDDIN AHMED: I have nothing further to add.

Action taken by Government on Bhore Committee's Report.

***15. Mr. R. A. H. STEVENSON:** Will the Hon'ble Minister in charge of the Department of Health and Local Self-Government be pleased to state—

(*a*) if Government have accepted the recommendations of the Health Survey and Development Committee known as the Bhore Committee;

(*b*) if not, what are the reasons for the non-acceptance of the recommendations or any of them;

(*c*) whether it is a fact that the recommendations will necessitate substantial alterations in, and additions to, Government's Medical and Post-War Development Schemes;

(*d*) if so, what steps are being taken to bring Government's Medical and Public Health Post-War Development Schemes into line with the Bhore Committee's recommendations; and

(*e*) whether it is proposed to give effect to the following recommendations of the Bhore Committee, viz.—

(*i*) establishment of a Provincial Ministry of Health and Provincial Health Board,

(*ii*) provincialisation of Public Health services,

(*iii*) creation of primary and secondary units as recommended in the Bhore Committee's short-term programme,

(*iv*) expansion of anti-malaria organisation and anti-malaria measures,

(*v*) town and village planning and housing,

(*vi*) establishment of a Provincial Water and Drainage Board,

(*vii*) expansion of the nursing services; and

(*viii*) enactment of public health legislation along the lines of the Madras Public Health Act?

MINISTER in charge of the DEPARTMENT of HEALTH and LOCAL SELF-GOVERNMENT (the Hon'ble Mr. Mohammed Ali): (*a*) The recommendations of the Health Survey and Development Committee are under consideration of Government in consultation with the Government of India.

(*b*) Does not arise.

(*c*) and (*d*) The Post-War Reconstruction Schemes of Government in Health and Local Self-Government Department have already been modified where necessary so as to permit their integration with the comprehensive plan envisaged in the Bhore Report. It is not expected that these individual schemes will undergo further substantial modification although in the process of their finalisation some additions may be made. The Bhore Report itself, however, is so comprehensive in its scope that many of its recommendations go beyond the sphere of existing Post-War Reconstruction Schemes and their full implementation would, administratively speaking, be a separate question to be taken up apart from Government's current five-year plan for Post-War Development.

(*e*) No final decision has been taken as to how far the recommendations of the Bhore Committee with regard to the items mentioned should be given effect to, but provision has been made already for the expansion of anti-malaria organisation and anti-malaria measures and for the expansion of nursing services. The establishment of a Housing Board is under contemplation and the question of enactment of Public Health legislation is also under consideration.

Mr. BIMAL COMAR GHOSE: With reference to answer (*a*), that the recommendations of the Committee are still under consideration and with reference to answer (*c*) and (*d*). . . . .

The Hon'ble Mr. MOHAMMED ALI: Please put one question at a time.

Mr. BIMAL COMAR GHOSE: Sir, the question refers to both the answers. So I am to link up both the answers. With reference to these answers, will the Hon'ble Minister be pleased to state as to what modifications in the departmental work is being effected in view of the fact that the recommendations are still under consideration?

The Hon'ble Mr. MOHAMMED ALI: That will be going too much into details, but I would also like to inform the House that we have outlined our plan in regard to the reorganisation of the rural public health services. I may add for the information of the honourable members that we have provided a scheme which we are experimenting in two places, namely, at Pabna and Kaliganj, with regard to the combination of both preventive and curative aspects of medical science, and if we find that the scheme as recommended in the Bhore Committee's Report is successful in its application in the rural areas, we shall try to reorganise our medical services on the lines recommended by the Bhore Committee and in the light of experience gained in the working of the scheme.

Mr. BIMAL COMAR GHOSE: Sir, my question was not fully answered. Let me first explain the thing and then put a question——

Mr. SPEAKER: No. Put your question please.

Mr. BIMAL COMAR GHOSE: In view of the fact that the Hon'ble Minister says that the recommendations of the Committee are still under consideration, by which it is to be understood that they have not come to any final decision in the matter, how can the Hon'ble Minister say that the departmental work is being reorganised in order that it may integrate with the comprehensive scheme—?

Mr. SPEAKER: *It is too lengthy a question. I think I should not allow it.*

Mr. BIMAL COMAR GHOSE: Sir, I would put my question more simply. In view of the fact that Government have not yet arrived at any final decision on the recommendations of the Bhore Committee, will the Hon'ble Minister be pleased to state what measures Government have been contemplating to take in order that these measures may be integrated with the comprehensive Bhore Committee's scheme?

The Hon'ble Mr. MOHAMMED ALI: I have already stated the steps that we are taking. I gave one illustration, namely, that we have introduced a scheme in two places in this province, which is the combination of two aspects of medical science, curative and preventive, and on the lines of the recommendation of the Bhore Committee, and in light of the experience we gain, we will be able to make certain modifications. I may also inform the honourable member that the case is under consideration in consultation with the Government of India. The Government of India will call a conference of all Provincial Ministers in charge of public health. The conference is due to take place very soon and after the result of the conference is known and in the light of the discussion that takes place in the conference, the Government of Bengal propose to reorganise the rural public health services. The Government of India is also anxious that when the reorganisation takes place, it will be on a uniform basis throughout the country, that is to say, on an all-India basis.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware that conferences and committees are the natural delaying tactics that is taken by the Government?

Mr. SPEAKER: That is a matter of opinion.

Mr. NIHARENDU DUTT-MAZUMDAR: With reference to answer (*a*), that the Government of India is being consulted, will the Hon'ble Minister be pleased to state on what specific points consultations are taking place with the Government of India?

Mr. SPEAKER: That will be going too much into details. There may be hundred and one subjects.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, "Public Health" is a provincial subject within the competence of the Provincial Government.

Mr. SPEAKER: Mr. Dutt-Mazumdar, so far as money is concerned, it comes from the Government of India.

Mr. NIHARENDU DUTT-MAZUMDAR: I am not asking about the source of money. I am asking about the Bengal Government's plan and the points regarding which the Government of India is being consulted.

Mr. SPEAKER: What I was suggesting to you is this: it will be too lengthy a matter to answer, because consultation may not be confined to one or two matters, it may refer to various matters. The subject will come up for discussion during the consideration of budget cut motions and a detailed discussion over that matter may be had at that time and then you can expect a reply from the Hon'ble Minister in charge.

Mr. NIHARENDU DUTT-MAZUMDAR: With regard to the reference made by the Hon'ble Minister to the expansion of the nursing services, will the Hon'ble Minister be pleased to state whether adequate attention is being paid by the Provincial Government to provide necessary facilities for the purpose of training more Indian personnel in the nursing services, such as arrangements about food and other things about which certain restrictions exist at the present moment operating as a bar to their entry into service?

The Hon'ble Mr. MOHAMMED ALI: Yes, but the greatest bar to the expansion of the nursing services is that the language in which training is imparted is English. Therefore, most of our Bengali girls find it extremely difficult to undertake the training. We have under examination a scheme whereby we will be able to impart this training in the language current in the Province, namely, the vernacular of the Province and if that scheme can be put into effect, we will be able to get a large number of trainees, and then we shall be able to expand the nursing service to meet the crying needs of our hospitals.

Mr. J. C. GUPTA: Is the Hon'ble Minister aware that when the Campbell Nursing Institution was thrown open to Indian girls, suitable Indian girls have been available for nursing training?

The Hon'ble Mr. MOHAMMED ALI: Yes. We do get suitable girls for training, but unfortunately we do not get them in sufficient number so as to meet the present requirements. Therefore, we want to have another course with which we can give this training in vernacular, so that we may get sufficient number of trainees.

Mr. J. C. GUPTA: Is the Hon'ble Minister aware that more than the number that could be taken in the Campbell Nursing Hostel applied and there is no question that sufficient number is not available?

The Hon'ble Mr. MOHAMMED ALI: I cannot give an off-hand reply to that. I can tell the honourable member that so far as nursing in the Calcutta Hospitals is concerned, there is a dual system of control. There is the Calcutta Hospital Nurses Institute which receive a grant from the Government of Bengal. I think the grant is Rs. 2,36,000 and they run the nursing services in the various hospitals in Calcutta, and I am fully alive to the fact that this system which has been handed down from years requires some change. I think the system prevalent here is not very equitable in the sense that the stipend that has been given to trainees in certain hospitals is hopelessly inadequate. In certain hospitals they get Rs. 40, some get Rs. 30 and in another hospital they get Rs. 10 only. I think the matter requires immediate examination and modification of the existing rule, so that we may have a uniform system and we may be able to give a decent remuneration to the trainees, so that the right type of trainees may be forthcoming. The whole question is under examination of Government and I can promise that this matter will be dealt with as soon as possible, so that we will be able to attract sufficient number of Bengali girls in the nursing profession.

Mr. ANNADA PROSAD CHAUDHURY: With reference to answer (*e*), will the Hon'ble Minister be pleased to state what are the provisions that have been made for the expansion of anti-malaria organisation and anti-malaria measures? I want to know what is the nature of the provisions which are being made in this direction.

The Hon'ble Mr. MOHAMMED ALI: I may tell the honourable member that we are just at present examining a scheme by which we may launch an anti-malaria drive near about the city of Calcutta, namely, in the *bustee* areas. We are examining a scheme by which there may be an attempt at larva-control and spray of that well-known insecticide D.D.T. We may send squads of anti-malaria units, so that they may make a regular fortnightly visit to the *bustees* in and around Calcutta, they may spray each and every *bustee* with D.D.T., and at the same time tackle the neighbouring breeding grounds where mosquitoes are bred and thus we may have this larva-control. We hope that by this measure we shall be able to tackle the malaria problem. We have similar schemes for the rural areas. If I am to outline them, it will take a lot of time. I would request the honourable member to hold his soul

in patience. When the demand for Public Health and Medical Department will come up, I shall be able to satisfy him that Government are taking up large scale schemes for the control of malaria.

Dr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us whether there is any scheme for the rural areas?

The Hon'ble Mr. MOHAMMED ALI: Yes, Sir, the answer is definitely in the affirmative.

Mr. BIMAL COMAR GHOSE: With reference to answer (*c*) and (*d*), in the penultimate line, will the Hon'ble Minister be pleased to state if Government have drawn up a five-year plan for post-war development?

The Hon'ble Mr. MOHAMMED ALI: Yes, Sir, a five-year plan has been drawn up but at the present moment so far as this Ministry is concerned we have only drawn up an interim plan and we are revising the five-year plan. Our decision in the matter has not been finalised. We have for the present—we have only assumed office only 3 months back—dealt with the interim plan only so far as immediate post-war reconstruction is concerned. Other plans and schemes are under our examination.

UNSTARRED QUESTION

(answer to which was laid on the table)

Committees for reporting on Post-War Plan.

4. **Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Chief Minister be pleased to state—

(*a*) how many committees were formed for the purpose of reports on Post-War Plan;

(*b*) when they were formed;

(*c*) what is the personnel of those committees;

(*d*) when they had submitted reports, if there were any;

(*e*) how many sittings were held in respect of each committee, giving the dates;

(*f*) what is the amount sanctioned for each plan;

(*g*) whether the Government had received any amount from the Government of India;

(*h*) whether the Government applied for any amount;

(*i*) whether any projects in pursuance of that plan have been determined;

(*j*) if so, what are those plans; and

(*k*) what are the estimated costs regarding those plans?

The Hon'ble CHIEF MINISTER (the Hon'ble Mr. H. S. Suhrawardy): (*a*) Assuming that the member refers to the Draft Five Year Plan, the Post-War Reconstruction Board now known as the Development Board was set up with sub-committees for preliminary examination of the schemes of each department.

(*b*) The Board was set up in June, 1945, and the sub-committee in August, 1945.

(*c*) A statement is laid on the Table.

(*d*) The Draft Five Year Plan was published shortly after the constitution of the Board. The Board then commenced the examination of the schemes in the plan individually. They have so far recommended to Cabinet 158 schemes including 35 new schemes added to the Plan.

(e) A statement is laid on the Library Table.

(f) The member is referred to pages 7 to 17 and Appendix II of the Budget Statement of the Hon'ble Finance Minister.

(g) and (h) The member is referred to page 2 of the aforesaid Budget Statement.

(i) to (k) Same as (f).

Statement referred to in reply to clause (c) to unstarred question No. 4, showing the constitution of the Development Board and the sub-committees thereunder.

DEVELOPMENT BOARD.

(1) Development Commissioner—*Chairman.*

(2) Secretaries of all departments concerned with development schemes—*Members.*

(3) Secretary, Finance Department—*Member.*

(4) Joint Secretary, Chief Minister's (Development) Department—*Secretary.*

SUB-COMMITTEE FOR EXAMINATION OF SCHEMES OF EACH DEPARTMENT.

(1) Development Commissioner—*Chairman.*

(2) Secretary of the department concerned—*Member.*

(3) Secretary, Finance Department—*Member.*

(4) Joint Secretary, Chief Minister's (Development) Department—*Secretary.*

Mr. DHIRENDRA NATH DATTA: Does the Government consider the desirability of taking some non-official experts into this committee?

Mr. MAFIZUDDIN AHMED: This question has already been under the consideration of Government.

Mr. DHIRENDRA NATH DATTA: How long the matter has been under consideration of Government?

Mr. MAFIZUDDIN AHMED: I cannot say the exact period; it has been under consideration for some time, and Government is coming to a decision very soon.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us when this consideration will be completed?

Mr. MAFIZUDDIN AHMED: I cannot give the exact date as to when the consideration will be completed, but I can say that Government will come to a decision as soon as possible.

Mr. BIMAL CHANDRA SINHA: Will the Hon'ble Minister be pleased to state if the Government consider the Draft Five-Year Plan to be so comprehensive as to obviate the necessity of any other plan?

Mr. MAFIZUDDIN AHMED: I would tell my friend that so far as the draft 5-year plan is concerned, it consists of many schemes and relates to the various departments and each scheme is going to be examined on its merit by the Development Board, and after it is accepted there it is recommended to Cabinet for approval.

Mr. BIMAL CHANDRA SINHA: Sir, my question was not that. My question was whether Government considered this plan so comprehensive as to obviate the necessity of any other plan, for instance, the Sargeant Scheme in the field of education.

Mr. MAFIZUDDIN AHMED: Sir, I would say, it is a matter of opinion whether the scheme is comprehensive or not.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state if he is aware that the last Government had set up a Post-War Reconstruction Committee?

Mr. MAFIZUDDIN AHMED: Yes, Sir.

Mr. BIMAL COMAR GHOSE: If so, will the Hon'ble Minister be pleased to state what happened to the report of that Committee?

Mr. MAFIZUDDIN AHMED: Nine sub-committees were set up during the last Ministry, and when they were working the Ministry went out of office. Only one sub-commitee, namely, the Electricity Sub-Committee, submitted its report.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state whether certain tentative schemes were drawn up by other committees, and whether Government consider the recommendations of the Post-War Development Committee as more suitable than the recommendations submitted by these committees?

Mr. MAFIZUDDIN AHMED: I have already replied that only one sub-committee completed its labour and submitted its report, namely, the Electricity Sub-Committee. So far as other sub-committees are concerned, they did not complete their labour nor submitted any report.

Mr. BIMAL COMAR GHOSE: Is the Hon'be Minister aware that the 5-year plan was drawn up by officials only?

Mr. MAFIZUDDIN AHMED: Yes, Sir. These schemes were initiated by different departments and then submitted to Government.

Mr. A. F. STARK: Will the Hon'ble Minister be pleased to state if he is aware that the Rowlands Committee recommended that there should be advisory committees formed of non-officials to help the execution of the development programme both in the districts and headquarters?

Mr. MAFIZUDDIN AHMED: Yes, Sir. I have already replied to a portion of this question, namely, that Government have realised this and are considering this question for including other elements.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state whether these committees are functioning at the present moment, because in his reply he has stated that only one sub-committee has submitted its report.

Mr. MAFIZUDDIN AHMED: Since the Ministry went out of office all these committees ceased to exist.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state if the present Government is considering the desirability of reviving those committees again.

Mr. MAFIZUDDIN AHMED: I do not think any useful purpose will be served by setting up those committees again, because we have got something to work on, and that is the 5-year draft plan, and now the Post-War Reconstruction Board which is known as the Development Board have been examining all the schemes that have been placed before them, and after making amendments, additions or alterations, they accept it and then recommend it to Cabinet.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Are we to understand that these committees did not do anything, and it was a sheer waste of public money and energy?

Mr. MAFIZUDDIN AHMED: Certainly not. They did some useful work.

Mr. BIMAL COMAR GHOSE: In view of the fact that the draft 5-year plan was drawn up by officials during the Section 93 regime, and in view of the further fact that the Development Board also consist mostly of officials, will the Hon'ble Minister be pleased to consider the desirability of re-examining the whole Post-War Plan by a board consisting of non-officials who should be more acquainted with the needs of the country?

Mr. MAFIZUDDIN AHMED: I do not agree with my friend to set up another purely and wholly non-official body to examine these plans. They are before Government and are going to be examined by the Development Board, and as I have just now said, Government is considering the desirability of introducing non-official elements into these committees.

Mr. BIMAL CHANDRA SINHA: Will the Hon'ble Minister be pleased to state, if schemes that have been declared accepted by the Finance Minister in his budget statement come into clash with any other schemes drawn up by the Government of India, which should be final? For instance, Scheme No. 135, under the head "Education"—increase of the salary of the existing primary school teachers,—is in conflict with the scheme initiated under the Sargeant's Scheme; which scheme would prevail?

Mr. MAFIZUDDIN AHMED: I cannot follow the question, Sir.

Mr. SPEAKER: Kindly repeat your question Mr. Sinha.

Mr. BIMAL CHANDRA SINHA: Sir, my question is: in case one of the schemes accepted by the Government of Bengal and money sanctioned on it as envisaged in the budget statement of the Hon'ble the Finance Minister, comes into conflict with the schemes adumberated by the Government of India, which scheme would prevail?

Mr. SPEAKER: This is a problematical question: the question of supposition comes in here. That contingency has not yet arisen. Let us wait for such a contingency.

Mr. BIMAL CHANDRA SINHA: Well, Sir, then I put my question in this way. Does any of the schemes of the Government of Bengal come into conflict with any of the schemes adumbrated by the Government of India?

Mr. MAFIZUDDIN AHMED: No, Sir.

Mr. NIKUNJA BEHARI MAITI: In view of the importance of the matter, will the Hon'ble Minister be pleased to consider the desirability of supplying to the members of this House a brief report of the progress made by the Committee so far.

Mr. MAFIZUDDIN AHMED: I have to refer my honourable friend to the Budget Statement of the Hon'ble the Finance Minister.

Mr. SPEAKER: Questions over.

Messages.

The Secretary then read out the following messages received from the Bengal Legislative Council:—

"That the Bengal Legislative Council at its meeting held on the 8th of August, 1946, agreed to the Bengal Finance Extending Bill, 1946, without any amendment."

"That the concurrence of the Bengal Legislative Assembly be asked to the Bengal Special Tribunal's Continuance Bill, 1946, as passed by the Bengal Legislative Council at its meeting held on the 7th of August, 1946."

DEMAND FOR GRANTS.

7—Land Revenue.

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 76,58,000 be granted for expenditure under the head "7—Land Revenue".

Sir, in moving this motion for the grant I shall refrain from referring to the different heads of the Budget. But I think I should give an account of the drastic change which has taken place in the Department since the presentation of the last Budget. (Several voices: To the microphone, please. The Hon'ble Minister then went over to the mike to speak through.) I am sorry, Sir, the mike is not working.

Mr. BIMAL COMAR GHOSE: Sir, is there any maintenance section in the Legislative Assembly Department?

Mr. SPEAKER: No, it is maintained by men under the Communications and Works Department.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, money is in your hands and I hope you will enforce on us that we won't sanction it.

Mr. SPEAKER: No. Certainly it is not in the hands of the Speaker.

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Sir, I shall speak at the top of my voice and I think you will be able to hear me.

Sir, as I was just saying, I should acquaint the House with the fact that the Revenue Department has undergone a drastic change since the presentation of the last Budget and it was in accordance with the recommendations of the Rowlands Committee that the Relief and Rehabilitation section of the Revenue Department has been transferred to the Co-operative Department, and on account of that Revenue Department has no longer anything to do with the distribution of agricultural loan. But it is rather anomalous that although loans are distributed by another Department—the Co-operative Department—the Revenue Department has got the responsibility of realising the loan. We would watch this and give the present new system, a trial for some time before we can come to any decision as to whether it is an improvement on the previous system.

Sir, I should now like to give a short account of the main activities of the Department and of the different schemes that the Department has taken up for consideration for the information of the House. I may at once say that the most important subject that has been engaging the attention of the Department is the abolition of Permanent Settlement which has been given the first priority in the programme of the present Ministry. I am fully aware of the fact that the delay in giving effect to the recommendations of the Land Revenue Commission for acquisition of all rent-receiving interests has given rise to a widespread feeling of uneasiness in the country. There is an overwhelming public demand for changing the existing system of land tenure which allows the whole hierarchy of rent-receivers, from the proprietors down to the lowest cultivating raiyats, to intercept a large part of the legitimate share of the produce of the land. The balance of opinion holds the contention that without the abolition of Permanent Settlement no co-ordinated land

and agricultural reconstruction of the country can be put through to ensure, (1) an economic holding for each cultivating family with fair rent and fixity of tenure, (2) fair prices and fair marketing facilities for agricultural produce, and (3) an increase in the yield of crops and extension of cultivation. The Bengal Administration Enquiry Committee has strongly urged on administrative grounds that Government should give the earliest possible effect to the recommendations of the Land Revenue Commission. Immediately after the formation of the present Ministry I took the opportunity of thrashing the whole subject in a conference of expert Revenue Officers of Government, both past and present, with a view to decide on what lines the recommendations of the Land Revenue Commission could be given effect to. I may inform the House that my department has already formulated the necessary legislative proposals which are now under consideration of the Cabinet. I need hardly say that it is a far-reaching and momentous matter which will touch the very life of the people and as such requires very careful and detailed consideration by Government as a whole. I expect, however, to be in a position to introduce a Bill on the subject during the next budget session of the legislature.

Sir, another very important question on which this Ministry has already taken a decision concerns the rights and interests of landlords and tenants in non-agricultural lands regarding which, as the House is aware, a Bill has already been introduced and referred to a Select Committee.

Yet another important measure has been introduced in the Upper House and referred to a Select Committee with the object of continuing existing rent control measures in Calcutta and other urban areas for a further period of three years.

I may inform the House that another very important administrative matter which is engaging the attention of Government, large-scale acquisition of lands for development purposes, such as Moore Project, Haringhata Scheme and so on, is coming up. Necessarily, therefore, a large number of people will lose their lands from these areas, but I may assure the House that every attempt will be made to provide the dispossessed people with equivalent lands elsewhere in th neighbourhood. The agrarian policy of Government has been to improve the lot of the cultivators and to minimise their hardship as much as possible.

Sir, the Government policy with regard to remissions due to agricultural calamity has also undergone great change. We have now been giving remissions very liberally. As a result there was a large-scale remission of rent and cess in estates directly managed by Government in affected areas. Remission of land revenue to the extent of 9 lakhs was given to the proprietors of permanetly-settled estates on the ground that they may in their turn remit rents of raiyats, tenants and sub-tenants. Large scale reliefs were also given to the affected people in the shape of agricultural loan and loan for house-building and purchase of cattle and rehabilitation purposes and other things. In the current year, during 1946-47, out of a sum of 63 lakhs, 75 thousand and 35,350 maunds of seed loans due for recovery, only a sum of 3 lakhs 56 thousand were realised by voluntary collection up to May last. Thereafter the local officers were directed to take recourse to amicable collections and not to force or execute any certificate for recovery of agricultural loans till the *aus* and jute crops were harvested in September next, and to write off all unrealisable amounts as early as possible. It is only in the case of wilful defaulters who are in a position to pay, but who did not that the Collectors are required to proceed with the execution of certificates against them.

In the matter of realisation of rent in *khas mahals* also under certificate procedure, all safeguards have been taken for any possible misuse of powers which may cause hardship to tenants in general.

Instructions have been given to local officers that execution of certificates has only to be started after harvesting of main crops in the area when the tenants are expected to have money to pay their dues. At the same time Government have adopted a scheme for encouraging amicable collection from all tenants. The basis of this scheme is direct touch of collecting staff with the tenants by village propaganda and door to door collection for which a *tahsil* has been divided into small units each in charge of a collecting officer. With a view to encourage voluntary collection an incentive has been given to the collecting staff in the shape of bonus for collection on amicable basis only. Collection through certificate procedure has thus been discouraged. The staff also find it against their interest to resort to it as it reduces the amount of their bonus. Tenants are also offered liberal concessions by way of remission of interest, if they pay in time according to the schedule after the harvesting of the main crops. Certificates are resorted to only when these directions and incentives for voluntary collections fail to produce any result. Even then certificates are filed only against wilful defaulters after giving them a warning notice and a further chance of paying off their dues.

It will be thus seen that the policy of the Revenue Department has been to give the least trouble to cultivators and the tenants and give them time to pay off their dues when they have money in their hand. Government are aware that the cultivators are the backbone of the country and in their welfare lie peace and prosperity of the country. So they must be treated with the utmost sympathy in everything that affects them.

With these few words I move my motion.

Mr. CHARU CHANDRA BHANDARI: Mr. Speaker, Sir, I move that the demand of Rs. 76,58,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100. The reason for my moving this motion is to raise a discussion about the situation that has arisen as a result of the notification (notification No. 1996, dated 22nd March, 1946), under the Land Acquisition Act, for acquisition of vast tracts of lands comprising 125 villages with its paddy and other lands, for the proposed ship canal from Diamond Harbour to the dock system at Kidderpore.

Sir, it appears from the Land Acquisition notification that the canal is to be 30 miles in length and 1 mile in *breadth*. If the canal be constructed, 125 villages of agriculturists will be effaced from the face of the earth, about 55 thousand *bighas* of land, mostly fertile paddy lands, will be destroyed and one lakh people, mostly petty cultivators, will be rendered holmeless, landless and deprived of occupation. If the canal be constructed, then dredging in the upper part of the Hooghly river will be stopped and as a result that part of the river will be rapidly silted up which will have ruinous effect upon the health and prosperity of Calcutta and on both sides of the Hooghly river, and it will also have, it is apprehended, baneful effect upon the Damodar Valley Scheme.

Sir, the experts are of opinion that at a very lesser cost, the Hooghly river can be improved so that there will be no necessity of dredging in the river and there will be no necessity for construction of any ship canal, that is, they say that the water of the Padma can be made to flow through the Hooghly throughout the year by means of a pair of guide banks at the off-take of the Hooghly river at a lesser cost. In the circumstances the Government should not remain satisfied by leaving things at the hands of the Port Commissioners as they say in their Press-Note. Both the social and the technical aspects of the scheme should be subjected to close scrutiny by competent impartial experts before its final acceptance. They should not leave it to the Cmmissioners for the Port of Calcutta, who are an interested party and no impartial judgment can be expected from them.

Sir, even if the scheme be considered as technically sound in the long run I would still urge upon the Government to abandon the scheme and declare here and now that it has no intention to proceed with the scheme, because the objection to the scheme on social grounds is all the more serious. No village of agriculturists should be destroyed for a cause which is not primarily for the benefit of the villagers. There must not be such large scale destruction of villages, there must not be such large scale destruction of paddy lands, there must not be such large scale evacuation of agriculturists for a cause which is not primarily for their benefit. Sir, I shall make my point clear. Take, for example, the Damodar Valley Scheme. In that scheme in order to save thousands of villages from the havoc of annual flood, if a small number of villages among them have to be acquired and sacrificed, that can be tolerated; that can be tolerated if, of course, these displaced villagers be resettled in suitable places and be compensated otherwise. But here the case is quite contrary. Here the scheme is for the benefit of the foreign commercial interests. It may be for the benefit of the big industraialists, it may may be for the benefit of the big millowners, it may be for the benefit of the big cities, but for that the villagers and agriculturists must not be called upon to make this great sacrifice. Days are come when all other interests should be made subordinate to the interests of the agriculturists. Days are gone when agriculturists could be made to yield to any unreasonable demand. Sir, I raise this point because it is a very serious thing to displace the cultivator. There is a basic difference between the displacement of a cultivator and displacement of any other man. If you displace a man belonging to the middle class from any particular land, he can pursue his calling from any other place, but if you displace an agriculturist, you will simply kill his whole family. You cannot give him any fertile land instead. Government cannot give lands to thousands of agriculturist families. In fact, they could not give any land to the evacuees, specially of Magrahat, whose lands and homesteads were requisitioned during the last war for military purposes. When the miseries of those unfortunate people were recalled, one will be horrified to imagine the sorry plight in which the unfortunate villagers will be placed if they be displaced from their lands by the construction of the canal Where would they go? Where would they find accommodation? No money can compensate the displacement of the agriculturists. Cash money in their hands would be spent out shortly and then they will be roving like vagabonds. In the circumstances I would urge upon the Government to withdraw their approval to the scheme. In any case the villagers would resist their eviction. If all constitutional attempts fail, they will resort to *satyagraha* in resisting their eviction. I am not saying this by way of threat. What can those unfortunate people do, if all the constitutional means fail, but to resort to the path of self-suffering?

There is another thing to which I would draw the attention of the Ministry. A critical situation has been created by the notification. All transactions in lands in the localities have ceased either by way of mortgage or by way of sale. People are not finding any transferee to raise money by sale or by mortgage of their lands. The area is in distress, because there was almost total failure of crop last year. They do not find any means to finance their cultivation. In the circumstances, without waiting for the decision of sub-committee of the Port Commissioners or the reconsideration of the matter by the Central Government, I would urge upon the Hon'ble Minister, who professes to be a servant of the agriculturists, to realise the sentiment, to realise the plight of the agriculturists and to withdraw the notification and declare here and now that he has no intentibn to proceed with the scheme, or to give approval

to the scheme, or to allow the acquisition of lands even if the scheme be sanctioned by the Port Commissioners or be approved by the Central Government.

With these words, Sir, I commend my motion for the acceptance of the House.

Mr. MANORANJAN DHAR: Sir, I beg to move that the demand of Rs. 76,58,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100. The reason for my moving this motion is to raise a discussion about the situation arising out of the wrongful disposal of Government *khas mahal* lands and site of the "Surya Kanta Coronation Well" and the old court houses forming part of the playground of the local high school at Bajitpur, Mymensingh, to a private person contrary to public policy.

Sir, here is a monumental instance of a huge and fruitful conspiracy by a private person for usurpation of Government lands whose accomplices happen to be no less a person than the notorious S.D.O. of Kishoreganj, the *khas mahal tahsildar* and some henchmen of theirs. The story in brief is this: These lands comprised in P. S. *dag* No. 238 of the Government estate No. 6204 of Mymensingh Collectorate contained the Civil Court premises and Bar Library for over a century until March, 1933. A short while after when the Court and the Bar Library were shifted elsewhere for some accidental reasons, the local school authority approached the *khas mahal* authorities for settlement of those lands and they took lease of those lands for making a playground for the students. They were using those lands since then by paying due rental to Government. During the last famine, the S.D.O. took possession of those lands under the Defence of India Rules, for starting a gruel kitchen there. After the term of the Defence of India Rules expired, possession of those lands was restored to the school committee. In fact, these sites were in public use from time immemorial. Actually the students were using them for the last 25 or 30 years. To the surprise of the local people all on a sudden towards the beginning of last May, one Dr. Nabi, the Superintendent of the local F.R.E. hospital of Bajitpur, in collusion with the local *khas mahal tahsildar* and with the definite consent of the S.D.O., Kishoreganj, who had no right to interfere, took possession of those lands surreptitiously and began to construct houses there. Sir, there was situated "Surya Kanta Coronation Well" which was sunk by the donation of the late Maharaja Surya Kanta Acharya Chaudhury of Mymensingh, of Bengal partition agitation fame. It was sunk for the supply of drinking water to the people of the locality in commemorating the coronation of a British King and the beneficiaries of that well were all sections of the public of Bajitpur since then. Dr. Nabi, contrary to the public interest, was now going to obliterate the existence of that well by throwing earth into that well. Not only he was making an unwarranted attack upon the prescriptive rights of the people but also thereby he was hurling insult at the noble memory of that illustrious son of Bengal, I mean the late Maharaja Surya Kanta Acharya Chaudhuri of Mymensingh. This is the story in brief.

Sir, a few weeks ago, I along with some brother M.L.As. approached the Revenue Minister. After hearing us he gave an assurance that the matter would be looked into and that an order for stopping further interference with these lands would be issued. I do not know whether any order has been issued or whether that order has reached the local officials. But the fact is, as I have just learnt from a letter received yesterday, that Dr. Nabi is defiantly going on constructing houses on those lands. He has already finished the construction of some houses there and going to construct other houses. How strange it is that local officials would not protect the Government lands in the public interest? They are going to deliberately neglect their clear duties of protecting

Government lands and thereby protecting the public interest with impunity. These things should be stopped. I would urge upon the Hon'ble Minister not to remain complacent about it. I have heard that newspaper reports to the effect that the Revenue Minister issued an order for stopping further interference with the lands, reached Dr. Nabi; but I now find that Dr. Nabi is going to construct houses there in spite of that. He must be asked not to proceed with further construction. Both local Congress and League are agreed that he should be stopped and ....

(At this stage the member having reached his time-limit resumed his seat.)

Mr. BIMAL CHANDRA SINHA: Sir, I beg to move that the demand of Rs. 76,58,000 under the head "7—Land Revenue" be reduced by Rs. 100. I move this motion in order to raise a discussion about the acquisition of land around Calcutta, under the Salt Lake Area Reclamation Scheme.

Sir, sometime ago the Government of Bengal appointed a Committee to report on the reclamation of the Salt Lake area. The personnel of the Committee was as follows:—

(1) The Chairman, Calcutta Improvement Trust—*Chairman*.

(2) The Chief Engineer, Calcutta Improvement Trust—*Secretary*.

(3) The Superintending Engineer, C. W. (Irrigation), Southern Circle.

(4) The Assistant Director of Public Health, Malaria Research.

(5) The Outfall Engineer, Calcutta Corporation (*co-opted*).

Sir, it is strange that though the scheme will affect a very large number of people and local residents, still no representative of the people was taken into that Committee. That Committee after some labour drew up a scheme for the reclamation of the Salt Lake area, and Government by publication of a notification in the "Calcutta Gazette", dated the 11th October, 1945, notified that they were going to acquire 72 square miles of land for the so-called reclamation of the Salt Lake area. I deliberately use the word "so-called", because it has been notified that this land is going to be requisitioned for three purposes. The purposes as notified in the Land Acquisition Notice No. 1890L.A., dated 8th October, 1945, are "whereas it appears to the Governor that the land in the district of 24-Parganas is likely to be needed for a public purpose, namely, reclamation of a portion of the Salt Lakes for the general improvement of the health of the people of Calcutta, for making provisions for *bustee* re-housing purposes and for development of fisheries for the improvement of fish supply in Calcutta". These are the ostensible objects indeed; but I will try to show that these objects can never be fulfilled by the scheme as drawn up by the Committee. Let me first say a few words on the proposed development of fisheries. Sir, you may be aware that fisheries grow well only in rivers and in half-saline waters, and big fishes grow only in places where dirty water is available. If arrangements can be made to develop fisheries in the Sunderban areas, as provided for in the Budget, such tinkering measures here will be superfluous. Then Sir, there is another point. There is plenty of dirty water in the Kristopur Canal area, but this canal has been dug in such a way that it is above the ground level, and it is not possible to open the *bund* to allow dirty water flow into the *varries*. The result is that these *varries* at present get no supply of dirty water and there can be no fisheries worth the name within that area. If the existing *varries* can get better supply of dirty water from the Corporation they would turn out better supply of fish. Government have not been able to make satisfactory arrangements for the development of the *varries* in this area, and as a result the *varries* which existed some time before, are falling into disuse. Sir, it is strange that while Government are

not in a position to maintain in proper order the existing *varries*, they are going to reclaim the Salt Lake area. Why? Is it in order to create new *varries*? Sir, I do not know how it would be possible for Government to create new fisheries, if they are not in a position to maintain the old ones.

Then, Sir, it has been suggested that the Lakes in the reclamated area, would be utilized for fisheries. Well, Sir, I put this question to Government: does the scheme as it has been presented before the House indicate that there would be some fresh water lakes, more for purposes of decoration than for the purpose of improvement of fish supply? I put another question to Government: how many tons of fish does Government get from fresh water lakes, and does the Dhakuria Lake as it exists at present, supply any fish at all?

Then I turn to the next object, namely, provision of houses for *bustee* dwellers; the Calcutta *bustees* are a standing disgrace. It has become almost a custom for Provincial Governors to visit *bustees* in Calcutta, on their assumption of office. But I wonder, Sir, even after the visit of several Governors, how many *bustees*, though they are in most horrible conditions, have been improved in the city of Calcutta? Government have no right to claim land before they can prove their ability to improve *bustees*, nor have they any right to transfer people without taking steps to re-settle them suitably. Sir, this talk about improving the housing facilities for *busteewallas* looks like a story which it would be difficult even for the most gullible of the members to swallow. The real object behind the scheme is the extension of the city of Calcutta. Sir, we have no objection to the extension of the city of Calcutta. As a matter of fact, Calcutta is now going to be greater, and if Calcutta is to grow satisfactorily there should be some sort of planning, so that there may not be any unplanned development. There is no objection to the development of Calcutta, but if Calcutta is to be developed we must ask: should it develop at this cost, at the cost of that has been proposed by the Committee? Now, what is the cost? The cost is firstly, about one lakh inhabitants will have to be ejected, their homelands destroyed, and their occupation ruined. The Revenue Minister said that he will make an enquiry and try to re-settle those tenants who will be evicted from Haringhata and some other places. I am sorry, he has not either mentioned where he is going to re-settle the one lakh people who are going to be ejected from here. They should not be rendered homeless before an alternative arrangement is made for re-settling them. As my friend Mr. Bhandari has said: even if you pay compensation that is not adequate. So far as the agriculturists are concerned, unless you give them identical land, unless you re-settle them, no amount of compensation can really compensate the loss they will have to face. In this context, Sir, to eject these people is, as my friend has said, to kill them.

Then, Sir, Government have expressed the intention that the whole land will have to be acquired under one single notification, but the report says that it will take not less than fifty years to develop the entire area. It is strange that though it will take such a long time to complete the whole scheme, Government are going to acquire the whole land by a single notification. What is the reason of acquiring the whole land all at once? The reason is not far to seek. If the whole land can be taken away at the present moment, it will fetch later on a price more than five times high than at present. What is the ultimate object of Government? They have calculated that they are going to pay compensation at the rate of Rs. 165 per bigha at present, but when they would develop the land they would be in a position to sell land at the rate of Rs. 500 per cottah for factory purposes, and Rs. 1,500 per cottah for residential purposes. Now, Sir, see the margin of profit. I say with all the gravity I can command that this is nothing but launching

on an impossible and unfair speculation by the Government of Bengal. We have enough instances to show how the Government acquitted themselves in the large scale trading operation in the matter of civil supplies. Bengal has bitter experience as to how they acquitted themselves in the boat construction scandle. I would say that after establishing their reputation in large scale trading operations, they have now come up with a large scale land speculation, which means extermination of thousands and thousands of agricultural families and destruction of thousands and thousands acres of good agricultural land. We find, Sir, that the Government of Bengal is gradually becoming a big trader and a big speculator, but, Sir, Government are probably aware that the people there have become determined not to go out of the land at any cost. Thousands and thousands of applications have been sent, and it has been clearly expressed by the people of the locality that even if they have to resort to resistance they will not fail to do so; they are not going to evacuate under any circumstance, because they have no other place to go.

(At this stage the blue light was lit.)

Mr. Speaker, Sir, the time at my disposal is short, so I will not go further into details. I would say once again that the matter is very serious. If Calcutta has to expand it cannot do so at the cost of the poor villagers. They cannot sacrifice their homesteads and *bustees* for housing the rich men. I would ask, why don't you put into operation the Country and Town Planning Act, if you are keen about expanding Calcutta. You can introduce the legislation first. If you have a Bill under consideration for town and country development, why not put it before the House, and then proceed with the scheme of acquisition of land, otherwise, Sir, to acquire the land first and then to place the Country and Town Planning Act, on the statute book, would be torpedoing the Planning Scheme from the very beginning.

Sir, if the Government do not respect the wishes and demands, the very legitimate demands, of the people of that locality, there will be no end of trouble. It will be dangerous to create a discontented populace near about Calcutta, and to always have such a discontented people (at this stage the red light was lit) making trouble just on the border of the capital——.

(The member having reached the time-limit resumed his seat.)

Mr. DHIRENDRA NATH DATTA: Mr Speaker, Sir, I beg to move that the demand of Rs. 76,58,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100. The reason for my moving this motion is to raise a discussion about the delaying tactics adopted by the Government in the matter of abolition of *zamindaries* and other rent-receiving interests.

Mr. Speaker, Sir, I have heard today the opening speech of the Hon'ble Minister in charge of Land Revenue, who seems to be anxious to abolish the *zamindary* system. On this question, Sir, the Congress has already committed itself in its election manifesto. You are aware that the Congress in its election manifesto pledged out that the reform of the land system which is so urgently needed in India involves the removal of all intermediaries between the peasant and the State and that the rights of such intermediaries should be acquired on payment of equitable compensation. So far as the attitude of our party in this House is concerned, so far back as in 1937, when this Assembly first met under the Government of India Act, 1935, we moved a resolution in August of that year to this effect that this Assembly is of opinion that a Committee consisting of nine members be formed with power to co-opt

experts on the Committee to formulate a scheme and to suggest legislative measures required to give effect to the following and to report to the House:—

To take immediate steps to acquire all landed interest in the agricultural lands of the province above those of the cultivating tenants and private fishery rights above those of ordinary fishermen.

Sir, there are other portions of the resolution which I do not want to repeat today. The Land Revenue Commission submitted its report in March, 1940. Then the Government which was also a League Government appointed a Committee under Mr. Gurner to examine and report mainly on the financial and administrative points of view. Mr. Gurner submitted his report on the 27th July, 1940. Then, Sir, the matter was discussed by the then League Ministry in July, 1941. But the attitude of the League Ministry was clear from the report of the Land Revenue Commission. If you refer to page 229 of the Land Revenue Commission, you will find that the Permanent Settlement and the consequences following from it are now the framework of the general economic life of the country and in the considered opinion of the then Government which was a League Government, the Finance Department was tampering with it which would in the long run produce financial gain to the State. From these things, Sir, it appears that really the Government was adopting delaying tactics when they were referring to conferences and committees. Mr. Speaker, Sir, you are aware that conferences and committees were the delaying tactics of the bureaucratic brand of Government. Now, Sir, the present attitude of the Muslim League towards the abolition of Permanent Settlement is also clear. Only the other day the Congress Ministry in the United Provinces tabled a resolution for the acquisition of intermediary interests between the State and the cultivating *raiyats* and the attitude of the League party there was one of opposition. When this resolution was moved the League party staged a walk-out as a mark of protest and immediately following the walk-out of the League party, the *zamindar* members also staged a walk-out.... (A VOICE: Why do you suppress facts?)......It is not a question of suppressing facts, Sir, as a friend of mine says. I know there will be a volume of opposition from the Muslim League. In the United Provinces Assembly an amendment was tabled by Mr. Rafi Ahmed Kidwai, Minister in charge, that that Assembly was of opinion that the liquidation of capitalism in all its form is essential to the well-being of the society....(At this stage the red light was on.)......May I have a few minutes more, Sir?

Mr. SPEAKER: I understand, you have already surrendered three minutes in favour of another member of your party.

Mr. DHIRENDRA NATH DATTA: Sir, I take my seat but before I actually do so, I must say that these delaying tactics had already been adopted and if the present Ministry also do so, it will take another twenty-five years before they would be able to give effect to the recommendations of the Land Revenue Commission.

Mr. RAJANI KANTA PRAMANIK: Mr. Speaker, Sir, I beg to move that the demand of Rs. 76,58,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100. I move this cut motion with a view to raise a discussion about the necessity for remission of rents and loans to the cyclone or flood-affected people of Midnapore, Chittagong and other districts of Bengal in suitable classes of cases to be settled in a committee of the Collector and the members of the Legislature of the district concerned.

Mr. Speaker, Sir, the terrible cyclone of October, 1942, wrought indescribable havoc in Midnapore, from the effects of which the district has not yet recovered. The subsequent years also, Sir, have all been

years of infinite distress and miseries. The land has suffered from floods and draught in different places, and from chronic famine in all places. The ill-fed and unfed human skeletons have looked in vain to the Government for sufficient relief. The Government, as usual, go mercily in their narrow groove, while the people of the cyclone and flood-affected areas of Midnapore, Chittagong and other places die by thousands. Sir, it is the clear duty of the Government to arrange adequate relief works on a comprehensive scale in Midnapore and other places. In Midnapore, the Government have been forced to carry on some relief work operations which are quite inadequate to meet the situation. But the Government are following a policy which negatives the contemplated benefit under the relief scheme. The Government are realising the different loans granted to the people with utmost severity. The loans, Sir, were taken by the people, when they were starving and were on the verge of death. That period of serious economic crisis is not yet over, on the other hand, it has deepened in some respects. Therefore, by following a policy of realising the different loans from the people at this time, the Government are only driving the people to ultimate ruin and despair. This relentless realisation of Government loans in the afflicted areas must be stopped if people are to be saved from destruction. Sir, I do not say that loan realisation should be stopped in all cases. I only demand that loan realisation should be stopped in suitable cases,—in cases, where any realisation of loan will mean intensified distress and ruin,—and where, therefore, loans should be remitted. I have no objection, Sir, loans being realised in suitable classes of cases. Similar to loans, rents must be remitted in acute cases of distress and should be realised only in suitable classes of cases. This policy of remission and realisation of loans and rents only in suitable classes of cases should be strictly followed by the Government, and I suggest that in the afflicted districts, a committee should be formed of the Collector and the members of the Legislature of the district concerned. This committee will decide suitable classes of cases where loans and rents may be remitted. Only by following this judicious policy of remission in fit cases, can the Government help the people. The Government, however, with their old bureaucratic outlook depend on their unsympathetic officers in the matter of loans and rents. They never care to look to the real needs of the people. That is why they deserve condemnation.

Sir, with these words I commend my motion for the acceptance of the House.

Mr. JADABENDRA NATH PANJA: Sir, I beg to move that the demand of Rs. 76,58,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100. The reason for my moving this motion is to raise a discussion about the Land Acquisition Projects in the district of Burdwan.

আমি বর্দ্ধমান জেলা অঞ্চলের কথা বলবো। বর্দ্ধমান মহকুমার অন্তর্গত পানাগড় অঞ্চলে এবং আসানসোল মহকুমার অন্তর্গত হীরাপুর প্রভৃতি স্থানে যে সকল জায়গা acquisition করা হয়েছে সেই সম্বন্ধে বলতে চাই। প্রথমটা ১৯৪৩ সালে যুদ্ধের জন্য ওটা নেওয়া হয়। তখন এই কথা ছিল, সেই land acquisition noticeএ লেখা ছিল যে, এই যুদ্ধ থামলে পরে ৬ মাসের মধ্যে ফেরৎ দেওয়া হবে। তারপর যুদ্ধ থামবার পর তখন লোকেরা ফেরৎ পাবার দরখাস্ত করলে। সেই সময় আবার permanent acquisitionএর জন্য land acquisitionএর notice হয়েছে ১৮টা গ্রামের উপর। প্রায় ৩৪,০০০ একর জায়গাতে ১৬,০০০ আন্দাজ লোক ভূমিচ্যুত হয়েছে। এবং সেই সকল লোকের আজ পর্য্যন্ত ঘরবাড়ী কিছু নাই, কারণ তারা জানতো যে, এই যুদ্ধ থামলে পরে ৬ মাসের মধ্যে তারা আবার নিজেদের জায়গায় ফিরে আসতে পারবে। তারা অন্যের বাড়ীতে গিয়ে আশ্রয় নিয়ে আছে। কিন্তু এখনও পর্য্যন্ত সেই সব জায়গা নেওয়া আছে। যে land acquisition পানাগড় অঞ্চলে হচ্ছে সেটা যে কিসের জন্য নেওয়া হয়েছে এখনও পর্য্যন্ত তা বলা হয়নি। লোক মুখে শুনতে পাই যে, এটা air serviceএর প্রয়োজনে লাগান হবে। তা এখনও পর্য্যন্ত প্রকাশ হয়

নাই। এখন সেই সকল লোকের পক্ষ থেকে আমি তাদের grievances জানাচ্ছি যে, তারা এই গ্রামে বহুকাল ধরে বসবাস করেছে। তাদের যদি জায়গা জমি নিয়ে নেওয়া হয় তাহ'লে তাদের থাকবার জায়গা থাকবে না। এবং যে কথা আমাদের বিমল বাবু বলেছেন যে, কোন রকম compensationএর দ্বারা এই agricultural landsএর ক্ষতিপূরণ হতে পারে না। এই ভাবেই তারা তাদের জীবনযাত্রা করে এসেছে এবং তারা এই ভাবেই চলে। তাদের compensation যা দেওয়া হয়েছে সেও খুব সামান্য এবং তার দ্বারা তাদের ক্ষতিপূরণ হবেনা। এখনও পর্য্যন্ত ১৩৫২ সালের compensation তারা পায়নি। তারপর দ্বিতীয়ত: হীরাপুর সম্বন্ধে সেখানকার Tata Iron and Steel Works আছে। তার জন্য সেখানে যথেষ্ট পরিমাণ জায়গা পড়ে আছে; কিন্তু তা সত্বেও তারা আরো জায়গা extend করছে। এখন সেই যে জায়গাটা নিচ্ছেন সেই জায়গাটা যদি নেওয়া হয় তাহলে পর যাঁরা হীরাপুরের বস্তীতে বাস করেন তাদের আর বেরোবার কোন উপায় থাকবে না। সেখানে একটা মন্দির আছে; সেটা পর্য্যন্ত নেওয়া হবে বলা হয়েছে। সেখানে তাদের নেওয়া আছে প্রায় হাজার বিঘার উপর; তার অর্দ্ধেকের উপর জায়গা এখনও পড়ে আছে। এরও পূর্ব্বে আর একবার নেবার চেষ্টা হয়েছিল। তখন যিনি Magistrate ছিলেন বিমল দত্ত মহাশয় তাঁর সঙ্গে এবং Iron Works Companyর সঙ্গে কথা হয় যে, আর জায়গা নেওয়া হবে না যতক্ষণ পর্য্যন্ত এই সমস্ত জায়গার যে জায়গা তাদের অধীনে এখনও আছে, সেখানে কাজ না করেন। কিন্তু তা সত্বেও ইতিমধ্যে তারা আরো জায়গা বাড়িয়ে নেবার চেষ্টা করছে এবং যদি এ জায়গা নেওয়া হয় তাহলে পর সেই সকল লোকের মহা কষ্ট হবে এবং সব ভাল paddy lands চলে যাবে। একথা সম্বন্ধে আর বেশী বলতে চাই না, কারণ হীরাপুরের লোকেরা Ministerএর কাছে এসেছিলেন এবং তাঁদের বক্তব্য বলেছেন।

Mr. SHITANGSHU KANTA ACHARJEE: Mr. Speaker, Sir, on rising before the House to comment on the land revenue system of Bengal I crave the liberty and patience of the legislators for the reason that the subject is highly technical and with many complications and implications.

Sir, as a representative of the *zemindars* and a member of the vested interested class, I venture to declare in this House in the words of Shakespeare: Friends, Bengalees and countrymen, lend me your ears. I come to bury the Permanent Settlement and not to uphold it! ("Hear" "hear" from Congress benches.) To you all it may sound like a devil quoting the Scripture, but, believe me, I want to do away with the *zemindary* system for no other reason than that it is a demand of the country and it is constantly expressed from the press and platform that the present land tenure system is a bar to the progress of the country and the prosperity of the people. I do believe that the *zemindary* system is no longer a bed of roses but of thorns; it is a dead system and the carcass remaining is contaminating the good air. I beg of the powers most earnestly to remove it at a very early date, but not to utilise the issue as election slogan and propaganda to deceive the ignorant people.

Sir, Bengal Government's decision in their post-war plan for the State acquisition of the *zemindary* properties on the basis of the Bengal Land Revenue Commission, 1938-40, has been published, but where is their blue print and with what system are they going to substitute the *zemindary* system? As a responsible citizen I feel the House should demand a thorough and systematic plan on this issue from the Ministry.

Now, Sir, I beg to draw the attention of the House to some problems connected with the present land revenue system *vis-a-vis* Government administration. Sir, it has become the fashion of the day to attribute all defects of administration to the *zemindars*, whether they be political, economic or social. Taking the administrative aspect, Bengal's area in millions of acres may be divided as follows: Permanently-settled Estates—37·37 million acres, Revenue-free Estates—1·97 million acres, Temporarily-settled Estates—3·34 million acres and estates held direct by Government—3·65 million acres.

Now, Sir, taking this as a fundamental basis, I contend that the revenue-free estates are very small in total acreage and should be financially much better off than that under the permanently-settled estates.

But are the conditions of the *raiyats* in this area in any way better than those under the *zemindars*? Certainly the poverty of the people in this area cannot be attached to the *zemindars*.

May I question here, Sir, what improvements the Government has made during the last 200 years in the estates held directly by them? Can the *zemindars* be made responsible for the sickening of the *raiyats* in this area? On the other hand, if I am permitted, Sir, I declare with no hesitation that all political and economic movements of the country have been thwarted mercilessly by the Government with the help of a section who dream in the line of Mirzafar and Umichand. Sir, I am afraid that by helping the present Government on this issue, at this juncture, we should be committing a great disservice to the political and economic causes of the country. Sir, as a representative of the *zemindars*, I frankly tell you that I am ever anxious to hand over our rights for the good of the country to the National Government, but not to a caretaker irresponsible corrupt Government.

Sir, hardly a session of the Assembly passes when the *zemindars'* income or rights and privileges are not curtailed and all these in the name of improvement or betterment of the country and the people. The Government takes agricultural income-tax, but the improvements they have introduced in the field of agriculture is nothing but man-made famines. The educational tax finds its way in the spread of communalism and disintegration of the country.

Again, Sir, can the Government justify its action regarding the expenditure of the amount collected as road-cess? We know that Government will find its excuse by turning before the House, the deficit figure of the budget. But, Sir, here I beg to question the honesty of the Government on one point. The Government is ever anxious to increase the Agricultural Income-tax to make up the deficit budget, but feeling shy to extend it to tea gardens—why? Is it because the proprietors of most of the gardens belong to the ruling nation? Sir, do you think it will be wise on our part to give charge of our people in the hand of a puppet Government of the Imperialist power?

Then, Sir, there are 2,853 thousand land holding units in the province. On a modest calculation, if every unit is a family of five, we find 14 millions of Bengal's population are connected with land. Again for such units there are officers who also maintain their families. Moreover, it is said that 31 millions belong to the agricultural population. Taking every thing in view, I shall not be incorrect to observe that one-third of Bengal's population will be hit by the abolition of the *zemindary* system. As I hold no brief for this decaying system, I beg to draw the attention of the House to the fact that without creating fresh field for absorption of this huge population the abolition of *zemindary* system is sure to create an unprecedented calamity in the country. And, Sir, the worst victim of this chaos will be the middle class population who are the torch-bearers of all progressive movements in the country. To be frank, Sir, I find some sinister motive behind this move. Sir, if I am permitted, I wish to observe here that Permanent Settlement today only exists in name. Of the 47 clauses ceded by Lord Cornwallis, most and majority are gone. Under the circumstances, through you, Sir, I would request my fellow legislators to think twice to give their verdict on this issue.

Now, Sir, coming to the social side of the picture, I wish to observe that every country should have her own ideology for the rebuilding of the society in all its aspects. Ours is the ideology of "*samyabad*". This has been the outcome of our past traditions and history. We need not beg the ideology of another country to graft into our own soil. Here I give a note of warning to the House that we should be cautions in moving with the present Government whose asset items are

bottomless corruptions, bribery, disunity and cowardice. We *stand for* "*ittefaque*" (unity), "*itemad*" (faith), "*quorbani*" (sacrifice). Let us join our hands to establish National Government first and all changes will follow. (Applause from Congress benches.)

Maharajadhiraj Sir UDAY CHAND MAHTAB BAHADUR of Burdwan: Mr. Speaker, Sir, I welcome this opportunity of saying a few words on the cut motion just moved by my friend Mr. Dhirendra Nath Datta. I would like to point out to my colleagues that as matters stand today there is not a single *zemindar* who does not realise that the *zemindary* system requires changes and I am sure there are none of us who would actually not like to see the lot of the poor agriculturists improved. But, Sir, in the last few years many changes have been made in the Land Revenue System of the province; but may I ask in what way has the lot of the agriculturists been improved? Whenever changes have been introduced it has been said these changes are necessary to alleviate the sufferings of the tillers of the soil. Sir, when the Agricultural Income-tax Bill was introduced it was suggested by some of us that the money so realised should be earmarked for agricultural improvement within the province. But it is common knowledge that out of the money thus realised not a penny goes towards improving the land or those who live on it. So I am afraid that the abolition of the *zemindary* system alone will not improve the lot of the cultivators. On the other hand the machinery that Government may have to set up for collection of land revenue which is at present easily available through the *zemindars* will cost much more. What is there to prevent another Department like the Civil Supplies Department being set up for the purpose of rent collection? It is not unknown to any of us that the rates of rent that already exist in private *zemindaries* are much less than in Government *khas mahals*. Moreover the abolition of the *zemindary* system does not mean only removal of some top men, but it means the upsetting of the whole social fabric of the middle class of Bengal. May I request my colleagues to pause and think that by abolition of the system a crore and 85 lakhs men will be unemployed and may I ask what the Government is going to do with regard to re-employing them or what is Government going to do about saving them from starvation. Therefore, it would be much better instead of hurrying through such an important measure to take all these matters into careful consideration before making any radical change in the existing Land-Revenue system.

I would personally request the Revenue Minister to consider the Land Revenue Commission's Report very carefully and particularly with regard to the matter of adequate compensation to all rent-receiving interests according to the suggestions made in that report as I understand that a Bill is being drafted by Government at the present moment. For as things are today by various taxations the value of land has been decreased and there is every chance of further inroads on the rights of private landlords. There is no doubt that the existing *zemindary* system requires changes; otherwise why should every province be thinking in the terms we are doing here today, but we hope to have a National Government at the Centre very soon and so instead of hurrying through this important measure piecemeal, it would be much better to wait and deal with the problem on an All-India basis which will not only benefit our own province, but which will, we hope, improve the agricultural conditions of this unhappy land and improve the lot of those for the benefit of whom this system is supposed to be abolished.

Mr. SYED HABIBUL HUQ: Mr. Speaker, Sir, I rise to make a number of observations on the abolition of the *zemindary* system in Bengal.

Sir, during the last election campaign one of the main slogans on which we based our propaganda was the abolition of the *zemindary* system

and this slogan appealed to the masses and was largely responsible for the zeal and enthusiasm with which the people recorded their votes in their thousands in our favour. They sincerely believed that their interest would be safe in our hand, that we would champion their cause in right earnest, and marshal all our resources to relieve the peasantry of Bengal from the fetters of permanent settlement. Sir, we in our turn gave those people the solemn assurance that we would fight the system of *zemindary* to the finish, and we are here today with a definite and clear mandate from our constituency to end this system. It appears from the reply of the Hon'ble Minister in charge of Land Revenue to a question put in this House the other day that a revisional settlement operation is necessary as a preliminary to the abolition of the *zemindary* system, and it is going to be taken up in Sunderbans area in October, next. While congratulating the Hon'ble Minister on his decision to take up the work, I shall be failing in my duty, as people's representative in this House, if I do not make some observations on the subject. Sir, we understand that the Government is going to carry on a revisional settlement throughout the entire province, and it proposes to proceed in the matter district by district. If we allow six months to each district, there are as many as 27 districts in the province so Government will have to devote 13 years and 6 months to complete the revisional settlement of the entire province. It is indeed inconceivably long a time and unusually long a period that can possibly be allotted for a mere preliminary work. Sir, if things are allowed to proceed at this low speed then I think the aspirations of the peasantry of Bengal, so far as the abolition of *zemindary* system is concerned, will take not less than a quarter of a century to materialise. Sir, in view of the growing unrest in the country for the immediate abolition of the *zemindary* system, can anyone by any stretch of imagination, hope and believe that the peasants of Bengal will have the patience to wait so long? The immediate abolition of the *zemindary* system has become the dream of their nights and the thought of their waking hours, and they have begun to look upon the *zemindary* system as a nuisance, as a nightmare, torturing them day in and day out. They are only too anxious to shake it off at the earliest possible date. A sum of over Rs. 13 crores which is the asset of their labour and the blood of their heart of hearts flowing every year from the poor peasantry to the pockets of the *zemindars*, is a thing which cannot be tolerated any longer. Sir, if this system is abolished then this huge sum can be utilised in ameliorating the condition of the masses and in nation-building and other works conducive to the general well-being of the people, and thereby we can close the doors of Bengal once for all against famine and pestilence to which this poor province has been a regular victim for the last few years. The peasants of Bengal are eagerly looking forward to the day when they will feel themselves absolutely free from the fetters of permanent settlement, the peasantry is looking forward to the day when they will be able to come in direct relation with the State enjoying the right of citizenship equally with the rest of the world. Having regard to the rapidity with which——.

(The member having reached the time-limit resumed his seat.)

Mr. MUHAMMAD HABIBULLAH CHOWDHURY: মাননীয় Speaker মহোদয়: আজকে এই Houseএ নানান রকমের cut motionএর আলোচনা হয়েছে, কিন্তু আমার মনে হয় যে সব আলোচনা হয়েছে তার চেয়ে গুরুতর বিষয়ের আলোচনা বাকী রয়েছে। আমি বাংলা দেশের কয়েক লক্ষ evacuees যাদের বাংলাতে "উজাড়ী" বলা হয় তাদের সম্বন্ধে বলছি। আপনারা জানেন সকলে যে ১৯৪২ সনে সামরিক প্রয়োজনে এই বাংলা দেশের বিভিন্ন জায়গা থেকে বহু লোককে গৃহহারা করে ২৪ ঘণ্টার noticeএ—এক দিন, দুই দিন বা তিন দিনের noticeএ বাস্তুভিটা থেকে অপসারিত করা হয়েছে। এদের এই যে দুঃখের কাহিনী এরা মুখ বন্ধ করে এতদিন সহ্য করে এসেছে, তার কারণ Defence of India

Rules ছিল, আন্দোলন বা বিক্ষোভ প্রকাশ করবার উপায় ছিল না, সভাসমিতি করে দুঃখের কাহিনী বলবার ছিল না উপায়। এখনও উপায় হয়েছে কি না সে বিষয়ে আমার যথেষ্ট সন্দেহ আছে। সমস্ত বাংলা দেশের কথা বলা অল্প সময়ের মধ্যে আমার পক্ষে সম্ভব হবে না। বাংলা দেশের অনেকগুলো জেলার মানুষকে এইভাবে ঘরছাড়া করা হয়েছে। নোয়াখালী, চট্টগ্রাম, মৈমনসিং, নদীয়া, বর্দ্ধমান এবং অন্যান্য অনেক জেলায় উদ্বাস্তু সমস্যা গুরুতর আকার ধারণ করেছে, সব যায়গার খবর আমার পক্ষেও সংগ্রহ করা সম্ভব হয়নি। আমি শুধু ফেণী subdivisionএর কথা বলবো। হঠাৎ এক সময় British Government অনুভব করলেন তাঁদের পক্ষে বুঝি আর জাপানের সঙ্গে যুদ্ধে পেরে ওঠা সম্ভব হবে না। তাঁরা ভাবলেন যে শেষ চেষ্টা একবার করবেন ফেণী subdivisionএ এসে। চট্টগ্রামে এক সময় সবাই বুঝতে পেরেছিল যে, চট্টগ্রামকে আর রক্ষা করা হবে না। এমন কি কর্ত্তৃপক্ষের ট্রেন চড়বার প্রস্তুতি হয়েছিল সম্পূর্ণ। কাজেই তাঁদের ঘাঁটি তৈরী করতে হয়েছিল ফেণীতে। ফেণী subdivisionএ কয়েক দিনের noticeএ ১০৪টে গ্রাম একেবারে উজাড় করে দেওয়া হয়। গ্রামবাসীদের বলে দেওয়া হোলো তোমাদের স্থাবর অস্থাবর সম্পত্তি ছেড়ে যেতে হবে। তারা প্রশ্ন করেছিল কোথায় যাবে। তাদের সে প্রশ্নের উত্তর দেওয়া হয়নি। যখন তারা বেরিয়ে যায় তখন তাদের প্রতিশ্রুতি দেওয়া হয়েছিল যে অস্থাবর সম্পত্তি আমরা রক্ষা করবো, আমাদের কাছে list করে রেখে দাও; স্থাবর সম্পত্তিও যুদ্ধ শেষ হয়ে গেলে ফিরিয়ে দেওয়া হবে। একবার কল্পনা ক'রে দেখুন, যে হঠাৎ চারিদিক থেকে হুড়মুড় করে হাজার হাজার Military এসে পড়লো—ঘর ছেড়ে কে কোথায় যাবে ঠিক নেই। হয়ত এক গ্রামে ৫০টা বাড়ী acquire হবে, কিন্তু হুকুম না হলেও ১০০টা বাড়ীতে Military ঢুকে পড়লো। সবাই মনে করেছিল যে যাদের বাড়ী acquire করা হবে তারা ভাড়া পাবে, পরে দেখা গেল Government recordএ তাদের নামও নেই। এইভাবে যখন acquire করা হয় তখন বিশেষ কোন আইন কানুন ছিল না, অন্যায়ের আইনসঙ্গত প্রতিকারের সুযোগ ছিল না। শুধু Feniতে military ঘাঁটি হবে এই কথাই লোকে জানতো, এ ছাড়া আর কিছু জানতো না কেউ। যেটুকুও তাদের সম্বন্ধে সুব্যবস্থা করা যেতে পারতো, Government Officerদের হৃদয়হীনতা, শোষণবৃত্তি ও উৎকোচ গ্রহণের জন্যে তা সম্ভব হয়নি। একটা ব্যাপার থেকে সমস্যাটা সহজে বোঝা যাবে। ক্ষতিপূরণ কিছু কিছু দেওয়া হয়েছে কোন কোন জায়গায়। ক্ষতিপূরণ যে দেওয়া হয়েছে সেখানে rate দেওয়া হয়েছে চমৎকার: ।।০ করে উদ্বাস্তুদের ঘরবাড়ী করবার জন্য প্রতি square footএ দেওয়া হয়েছে, অথচ সেখানে contractor পেয়েছে আড়াই টাকা করে মিলিটারী কাজের জন্যে এবং লক্ষ লক্ষ টাকা রোজগার করেছে। তারপর শস্যের ক্ষতিপূরণ যেটা দেওয়া হয়েছে সেটাও ধানের আড়ি প্রতি এক টাকা করে, আড়ি যখন ধানের হয়েছে ৭৲। আর গাছের সুপারি গাছের ক্ষতিপূরণ কিছু দেওয়া হয়নি। যোগ বিয়োগের ভুল যা হয়েছে তার সংশোধন মোটেই হয়নি। সহর বলে কখনও কখনও ফেণীকে ধরা হয়েছে কখনও গ্রাম হিসাবে। ক্ষতিপূরণ সম্পর্কে Government যেভাবে গড়িমসী করছে তার নজির খুঁজে পাওয়া যায় না। সরকারী কর্ম্মচারীদের এর কাছে গেলে বলেন ওর কাছে যাও—এভাবে মানুষকে হয়রাণ করা হয়। Land Acquisition Officerএর এখানে অসীম ক্ষমতা এবং এই ক্ষমতার অপব্যবহার করতে তিনি ত্রুটি করেন না।

আর একটা কথা যে সব বাড়ী ছেড়ে দেওয়া হচ্ছে তা বড়লোকদের দেখে দেওয়া হচ্ছে, জমিদার মহাজনদের দেওয়া হচ্ছে, গরীবদের দেওয়া হচ্ছে না। এই ব্যাপারেও অনেকের দু'পয়সা রোজগার হচ্ছে। (Laughter)—(Here the member had reached his time limit.)

Mr. SPEAKER: Please sit down.

Mr. MUHAMMAD HABIBULLAH CHOWDHURY: আমার মনে হয় লক্ষ লক্ষ লোকের এই সমস্যা সম্পর্কে বিস্তারিত আলোচনা হওয়া প্রয়োজন এবং বাংলা দেশের সর্ব্বত্র আন্দোলন হওয়া উচিৎ আমাদের কংগ্রেসী ভাইরা—গরীব দুঃখীদের সমর্থক বলে যাঁরা দাবী করেন তাঁরা আওয়াজ উঠাচ্ছেন না কেন উদ্বাস্তুদের এই সমস্যা সম্পর্কে? (Here the member having reached his time limit resumed his seat.)

Mr. SPEAKER: Mr. Chaudhury, your time is up. Please sit down.

(Mr. Jyoti Basu rose in his seat.)

Mr. SPEAKER: I do not think I can accommodate any more speaker, because we have got to keep ourselves within the time-limit and we have got to pass two demands today.

Mr. JYOTI BASU: Sir, it is very unfortunate that I cannot be allowed to speak.

Mr. SPEAKER: You can speak for two minutes. You ought to have got up earlier and not at the last stage.

Mr. JYOTI BASU: Mr. Speaker, Sir, I have just heard with amazement two leading landlords of our province talking on the abolition of the Permanent Settlement and the abolition of the *zemindary* system as a whole, and I think that the members on both sides of the House will not take them seriously—(SEVERAL VOICES FROM THE CONGRESS BENCHES: Why, why?)——

Mr. KIRAN SANKAR ROY: We do not take you seriously (Loud noise continued from the Congress and the Government sides).

Mr. SPEAKER: I hope you will allow the honourable member to speak.

Mr. NIHARENDU DUTT-MAZUMDAR: No, Sir; not until he withdraws the statement he has just now made (Cries of "Withdraw, withdraw" from the Congress benches and countercries from the Government side).

Mr. JYOTI BASU: I stand on my right to speak and I seek your protection—(Loud noise continued).

Mr. NIHARENDU DUTT-MAZUMDAR: We know that the punishment of John Amery is not awaiting him, but he must withdraw the imprudent observation he has just now made.

Mr. SPEAKER: Order, order It is not a fit place for a duel.

Mr. TAFAZZAL ALI: On a point of order, Sir. On the day when the debate on the eviction of the Bengali immigrants in Assam was taken up, I heard Mr. Niharendu Dutt-Mazumdar describing Mr. Jyoti Basu as a Fifth Columnist: was it parliamentary, Sir?

Mr. NIHARENDU DUTT-MAZUMDAR: Yes, we all say that he is a Fifth Columnist. You look at the fate of John Amery and William Joyce, who, because it was in England, had a rope round their necks. But here we find that he is going unpunished.

Mr. JYOTI BASU: Mr. Speaker, Sir, if you do not give me the democratic right to be heard, I am helpless.

Mr. NIHARENDU DUTT-MAZUMDAR: It is the democratic right of a Fifth Columnist—(Cries of "Traitor, traitor" from the Congress benches as also countercries from the other side).

Mr. JYOTI BASU: If a political chameleon now of the Congress party—(Loud noise from the both sides of te House).

Mr. NIHARENDU DUTT-MAZUMDAR: These are the people, Sir, who wanted to shoot down Subhas Chandra Bose in 1942—(Cries of "Shame, shame" from the Congress bences)—(At this stage the red light was on).

Mr. SPEAKER: I think you have finished, Mr. Basu.

Mr. NIHARENDU DUTT-MAZUMDAR: He has already finished, Sir, and his time is now up. (Loud noise again.)

Mr. JYOTI BASU: How can I finish, Sir, if you allow this political chameleon to go on shouting in this way—(Loud noise again from both sides of the House).

Mr. SPEAKER: I allowed you two minutes to speak as a matter of concession—(Loud noise again).

Mr. JYOTI BASU: But how could I speak ignoring so many interruptors? If the House had given me a patient hearing—(Cries of "No, no" and loud noise from the Congress side).

Mr. SPEAKER: I allowed two minutes to you as a matter of concession but within half a minute of your speech you referred to something which aroused resentment from other members. I am not responsible for that. Now your time is up.

Dr. A. M. MALIK: On a point of order, Sir. Point of order হচ্চে এই যে যদি কোন memberএর বক্তৃতা অন্য কোন memberএর ভাল না লাগে আর তাঁরা যদি এই রকম Houseএর ভিতর row create করেন তা'হলে memberএর যে বক্তৃতা দেওয়ার right আছে সেটা কি আপনি curtail করে দেবেন? আমি দুঃখের সহিত বলতে চাই যে Congress democracyর জন্য fight করে, তাদের যদি এটুকু সহনশীলতা না থাকে যে—(Loud cries of "shame", "shame").

Mr. NIHARENDU DUTT-MAZUMDAR: কংগ্রেস fifth columnistএর সঙ্গে সহানুভূতি করে না।

Dr. A. M. MALIK: এখানে সকলের সমান অধিকার; প্রত্যেক memberএর এখানে বলার সমান অধিকার। যদি আপনারা এই রকম করেন তাহলে আমরা বলতে বাধ্য হবো যে আপনারা যখন কোন কথা বলবেন আমরাও এই রকম অসুবিধা সৃষ্টি করবো।

Mr. NIHARENDU DUTT-MAZUMDAR: Why do you hold a brief for a Fifth Columnist? Democracy is not meant for the Fifth Columnist—(Loud cries of "We do not want to listen to the criminal: we refuse to listen to him" from the Congress side and countercries from the other side).

Dr. A. M. MALIK. For that you can shoot him down outside, if you like but here you cannot prevent him from speaking—(Loud noise again from both sides of the House).

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Mr. Niharendu Dutt-Mazumdar, you are a turncoat.

Mr. SPEAKER: It is very unfortunate that the honourable members do not realise their responsibility to the House. If they want to exchange their wordy battle, this is certainly not the proper place to do that. Here the Chair has got the authority from the House to control the House and to see that a peaceful atmosphere is maintained; and in this matter I expect help, assistance and co-operation from all sides of the House. I am very sorry to mention that neither side has offered me that co-operation just now. I appeal to the leaders of the House that they will not allow such a thing to come to pass in future. If an honourable member speaks something and if he is within his rights and if he does not transgress the parliamentary etiquette, I cannot see why another member should have any objection to that. It is everybody's right to express his own view and whether it is acceptable to some party or to some members is not the question to be considered here. So, everyone should be given the right to speak. It is not the majority who should gag the minority here. I am here promise-bound to uphold the rights of the minority even if it is an individual member, and I think I should give him an opportunity. I appeal to the Leader of the Opposition and to the Leader of the House to extend to me their help, assistance and co-operation.

Mr. A. F. STARK: On a point of order. May we have your ruling that the word "Fifth Columnist" is unparliamentary and should be erased from the proceedings?

Mr. SPEAKER: I do not think the word "Fifth Columnist" has been used today.

Mr. NIHARENDU DUTT-MAZUMDAR: I used the term Fifth Columnist.

Mr. SPEAKER: If it is there in the proceedings—I do not exactly remember—I will expunge it.

Mr. NIHARENDU DUTT-MAZUMDAR: I used the term Fifth Columnist. It is very much a parliamentary term. It has been used in the Journal, it has been used in the British Parliament and I have used the term with the fullest sense of my responsibility. I am prepared to substantiate it before a tribunal if one would be set up on the Indian soil on the same principles on which tribunals are working in Germany and elsewhere. A Fifth Columnist, even if he happens to be a member of this House, shall not escape justice at the bar of the tribunal if one is going to be set up in this country. I used the term Fifth Columnist and I maintain it.

Mr. ABDUL MOMIN: Mr. Dutt-Mazumdar always indulges in high sounding nonsense.

Dr. PROTAP CHANDRA GUHA ROY: Is it parliamentary to use the word "nonsense"?

Mr. ABDUL MOMIN: If Mr. Dutt-Mazumdar can say that "Fifth Columnist" is parliamentary, "nonsense" is also parliamentary I can say.

Mr. A. F. STARK: Mr. Dutt-Mazumdar has referred to British practice. I do not think it has ever been the practice in the British Parliament for one honourable member to use the term Fifth Columnist against another honourable member. They may use the term Fifth Columnist in respect of other persons but not in the House by one honourable member against another.

Mr. NIHARENDU DUTT-MAZUMDAR: I am surprised to find in this House an exhibition of alliance between a British gentleman and somebody about whose conduct I had to refer as Fifth Columnist.

Mr. ABUL HASHIM: On a point of order, Sir. I would like to know from you how many times without your permission one may stand up to speak and is allowed to do so

Mr. SPEAKER: Never. No member can speak without my permission.

Mr. ABUL HASHIM: I have seen with my own eyes without your permission several times he spoke on the same question

Mr. SPEAKER: In this matter I have asked for the help and assistance of the Leader of the Opposition several times

Mr. KIRAN SANKAR ROY: The only way I can assist you is to request you to ask the Minister in charge of Revenue to reply to the debate.

Mr. HAMIDUDDIN AHMED: On a point of order. After you have ruled that the word "Fifth Columnist" is unparliamentary and that if any member uses such a word you will see that it is expunged from the proceedings. Is the honourable member entitled to repeat it again and again and insist that this is not an unparliamentary word?

Mr. BIMAL COMAR GHOSE: Is it your ruling that the word is unparliamentary?

Mr. SPEAKER: It has not been proved before me that it is parliamentary.

Mr. BIMAL COMAR GHOSE: But has it been proved that it is unparliamentary?

Mr. SPEAKER: *It seems to me prima facie like that. If you wish I shall look into the matter.*

Yes, Mr. Basu. You have two minutes.

Mr. JYOTI BASU: Mr. Speaker, while I was speaking I was interrupted. I shall not go into the interruptions or the remarks which have come forth from some of the members. Although some foul language has been used, I will not go into that because I consider that childish.

Mr. Speaker, referring to the two speakers I passed some remarks because in their speech they made it quite clear and they gave us all the reasons why the *zemindary* system, the permanent settlement, should not be abolished in Bengal. They talk about National Government, they talk about their concern for the middle class of Bengal. This is a new thing to us—their concern for the middle class. I say to this Ministry that they have committed the greatest crime in that after coming to power they have not immediately taken in hand, the question of abolition of the permanent settlement and without compensation. Not a single pice should be paid as compensation. It seems to me that the present Ministry are not serious although I know the Muslim people and the ordinary common people are serious about the abolition of the permanent settlement. Therefore I think it is of no use for the present Ministry to tell us that in the next budget they are going to take up this matter. I think it should have been taken up today and that is why I say they have committed the greatest crime. Mr. Speaker, my concern for the miseries of the people of Bengal, not only for the peasants but for the middle classes, impels me to say that the permanent settlement should go.

(At this stage the member having reached his time-limit resumed his seat.)

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Sir, I should reply very briefly to some points raised in the course of cut motions moved by the Opposition. Three cut motions have been moved in respect of some land acquisition proceedings. Sir, in one word I can say that these are legal proceedings and if the country is to develop, to advance industrially, we must have these proceedings for acquiring land for establishment of industrial concerns, but utmost care is being taken to see that least trouble is given and least inconvenience is caused to holders of homestead lands and every attempt is made to re-establish them in other newly reclaimed areas.

One other objection is regarding settlement of some *khas mahal* land in Bajitpur town. As soon as a petition was filed to me I sent it over with my orders that no further structures should be constructed upon the land before final decision is taken and a report was called for. The report has come but it is not at all satisfactory and some more points have to be made clear before any decision can be taken. That is why a further report has been called for.

Then, regarding the permanent settlement, I have already said that in a scheme involving revolutionary change in the entire land system of the country, I do not think anybody can evolve a draft bill within one or two months. I think a bill of this nature has not been before the country for 150 years. It was in 1793, that the Permanent Settlement was effected and after that a revolutionary bill is going to be introduced for setting at naught a thing which was done in 1793. So you, gentlemen, will have to wait for a few months. I do not think you will not have the patience to wait for a few months in order to allow the Secretariat to prepare an appropriate draft bill for introduction in this House.

Sir, I do not think I need say anything more with regard to points of minor importance. I think I have dealt with the important points that have been raised here. I oppose the cut motions.

Mr. SPEAKER: I now put the cut motions to the House.

The motion of Mr. Charu Chandra Bhandari that the demand of Rs. 76,58,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Manoranjan Dhar that the demand of Rs. 76,58,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Bimal Chandra Sinha that the demand of Rs. 76,58,000 for expenditure under the head "7 Land Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr Dhirendra Nath Datta that the demand of Rs. 76, 58,000 for expenditure under the head "7 Land Revenue" be reduced by Rs. 100, was then put and a division taken with the following result:—

AYES—88.

Acharjee, Mr. Shitangshu Kanta.
Adhikary, Mr. Amulya Chandra.
Bandyopadhaya, Mr. Pramatha Nath.
Banerjee, Mr. Gobindalal.
Banerjee, Mr. Susil Kumar.
Barman, Mr. Haran Chandra.
Barman, Mr. Mohini Mohan.
Barury, Mr. Dwarka Nath.
Basu, Mr. Hemanta Kumar.
Basu, Mr. Jyoti.
Bhandari, Mr. Charu Chandra.
Bhattacharjee, Mr. Ganendra Chandra.
Bhattacharjee, Mr. Munindra Nath.
Bhattacharyya, Mr. Shyamapada.
Birsha, Mr. Bir.
Biswas, Mr. Bhola Nath.
Biswas, Mr. Gayanath.
Bose, Mr. Satish Chandra.
Chakraberty, Mr. Benode Chandra.
Chakravarty, Mr. Satish Chandra.
Chatterjee, Mr. Haripada.
Chattopadhyaya, Mr. Mihir Lal.
Chowdhury, Mr. Annada Prosad.
Das, Miss Bina.
Das, Mr. Brojomadhab.
Das, Mr. Jogendra Chandra.
Das, Mr. Radha Nath.
Das Gupta, Mr. Suresh Chandra.
Dass, Mr. Kanailal.
Datta, Mr. Dhirendra Nath.
De, Mr. Kanai Lal.
Dhar, Mr. Manoranjan.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutt-Mazumdar, Mr. Niharendu.
Ganguli, Mr. Bepin Behari.
Gayen, Mr. Arabinda.
Ghose, Mr. A. K.
Ghose, Mr. Bimal Comar.
Ghosh Chowdhury, Mr. Haran Chandra.
Guha Roy, Dr. Protap Chandra.
Gupta, Mr. J. C.
Gupta, Mr. Monoranjan.
Gurung, Mr. Damber Singh.
Khaitan, Mr. Debi Prosad.
Kundu, Mr. Nishitha Nath.
Lahiri, Mr. Provas Chandra.
Mahanty, Mr. Charu Chandra.
Maiti, Mr. Nikunja Behari.
Majumdar, Mr. Bhupati.
Mal, Mr. Iswar Chandra.
Mallick, Mr. Ashutosh.
Mandal, Mr. Annadaprasad.
Mandal, Mr. Bankubehari.
Mandal, Mr. Krishna Prasad.
Mukherji, Mr. Dhirendra Narayan.
Murarka, Mr. Basantlal.
Nandy, Maharaja Sris Chandra, of Cossimbazar.
Naskar, Mr. Ardhendu Sekhar.
Naskar, Mr. Hem Chandra.
Panja, Mr. Jadabendra Nath.
Pramanik, Mr. Purna Chandra.
Pramanik, Mr. Rajani Kanta.
Ray, Mr. Kamal Krishna.
Ray Barman, Mr. Rajani Kanta.
Roy, Mr. Harendra Nath.
Roy, Mr. Kiran Sankar.
Roy, Mr. Ram Hari.
Roy, Mr. Rup Narayan.
Sarkar, Mr. Bijoy Krishna.
Sarkar, Mr. Rajendra Nath.
Sarker, Mr. Prafulla Ranjan.
Sen, Mrs. Ashalata.
Sen, Mr. Debendra Nath.
Sen, Mr. Satindra Nath.
Sen Gupta, Mrs. Nellie.
Singha, Mr. Arun Chandra.
Singhi, Mr. Narendra Singh.
Sinha, Mr. Bimal Chandra.
Thakur, Mr. Pramatha Ranjan.

NOES—128.

Abdul Ahad, Dr.
Abdul Awal, Mr.
Abdul Aziz, Maulana Md.
Abdul Aziz Munshi, Mr.
Abdul Hafiz, Mr. Mirza.
Abdul Hai, Maulana.
Abdul Hakim Mia, Mr.
Abdul Hakim Vikrampuri, Mr. Md.
Abdul Halim, Mr. Molla Mohammad.
Abdul Hamid, Mr.
Abdul Hannan, Mr.
Abdul Karim, Mr.
Abdul Khaleque, Mr.
Abdul Mannan, Mr. Fakir
Abdul Momin, Mr.
Abdullahel Baqui, Mr. Md.
Abdur Rahman, The Hon'ble Mr. A. F. M.
Abdur Rahman Khan (*alias* Nuru Mia), Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rashid, Maulana Khondkar.
Abdus Salam, Mr. Md.
Abul Hashem, Mr.
Abul Kalam Shamsuddin, Mr.
Abul Masud, Mr. Kazi.
Abul Quasem, Mr.
Ahammad Ali, Mr. Mir.
Ahmed Ali Mridha, Mr.
Ahmed Hosain, The Hon'ble Mr.
Ahmed Kabir Chowdhury, Mr.
Akbar Ali, Maulvi.
Ali Ahmed Chowdhury, Mr.
Ali Ahmed Khan, Mr.
Anwara Khatun.
Arif Chaudhury (Dhanu Mia), Mr. Md.
Asan Ali Muktear, Mr.
Aulad Hossain Khan, Mr.
Azizur Rahman, Mr. Syed.
Badiuzzaman Muhammad Ilias, Mr.
Bafatuddin Talukdar, Mr. A. K. M.
Duff, Mr. D. I.
Ebrahim Khan, Mr.
Eskandar Ali Khan, Mr.
Farid Ahmad Chowdhury, Mr.
Fazlul Karim, Mr.
Fazlul Qadir, Mr.
Fazlur Rahman (Dacca), Mr.
Fazlur Rahman (Mymensingh), Mr.
Fazlur Rahman (Noakhali), Mr.
Gladding, Mr. D., C.I.E.
Gomes, Mr. D.
Habibul Huq, Mr. Syed.
Hafizuddin Choudhuri, Mr.
Hamiduddin Ahmed, Mr.
Hassan Ali, Mr.
Haywood, Mr. R.
Husan Ara Begum.
Ilias Ali Molla, Mr.
Ispahani, Mr. M. A. H.
Kabir Ahmed Choudhury, Mr.
Kazem Ali Mirza, Shahibzada Kawan Jah Saiyid.
Khairat Hossain, Mr.
Khuda Bukhsh, Mr. Md.
Khurram Khan Panee, Mr.
Lutfar Rahman, Mr.
Lutfar Rahman, Mr. Dewan.
Madar Bux, Mr.
Mafizuddin Ahmed, Mr.
Mahammad Owais, Mr.
Mahammad Sayeed Mia, Mr.
Majibar Rahman, Maulvi.
Malik, Dr. A. M.
Mandal, The Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Mr.
Martuza Reza Chowdhury, Mr.
Masiuddin Ahmed (*alias* Raja Miah), Mr.
Mazharul Haque, Mr. Abu Taiyab.
Miles, Mr. C. W.
Mobarak Ali Ahmed, Mr.
Mohammad Sharif Khan, Mr.
Mohammed Ali, the Hon'ble Mr.
Mozammel Hossain, Dr.
Mudassir Hossain, Mr.
Muhammad Habibullah Chaudhury, Mr.
Muhammad Idris, Maulvi.
Muhammad Ishaque, Mr.
Muhammad Israil, Mr.
Muhammad Quasem, Maulana Haji.
Muhammad Qumruddin, Mr.
Muhammad Rukonuddin, Mr.
Mullick, Mr. Mukunda Behary.
Musharruf Hossain, Nawab, Khan Bahadur.
Muzaffar Rahman Choudhury, Mr.
Nawajesh Ahmed, Mr.
Nawab Ali, Mr.
Norton, Mr. H. R., M.B.E.
Nurazzaman, Mr.
Osman Ali, Mr.
Osman Gani, Mr. Md.
Paniruddin Ahmed, Mr.
Pentony, Mr. L. R.
Pilkington, Mr. D. C. B.
Powell, Mr. J. A.
Ray, Mr. Nagendra Narayan.
Ricketts, Mrs. E. M.
Salim, Mr. S. A.
Serajal Haque, Mr. Syed.
Serajuddin Ahmed, Mr. (Midnapore).
Serajuddin Ahmed, Mr. (Gaibandha).
Serajul Islam, Mr.
Shamsuddin Ahmed, The Hon'ble Mr.
Shamsuddin Ahmed Chowdhury (alias Badsha Mia), Mr.
Shamsuddin Ahmed Khondkar, Mr.
Shamsuddin Sikdar, Mr. Md.
Sharfuddin Ahmad, Mr.
Smart, Mr. J. N.
Smith, Mr. A. B.
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Stevenson, Mr. R. A. H.
Tafazzal Ali, Mr.
Tofazzel Hossain, Mr.
Walton, Mr. A. C.
Whitehead, Mr. R. B.
Wilkinson, Mr. G.
Wilks, Mr. G. C. D.
Wordsworth, Mr. W. C., C.I.E.
Yusuf Hossain Chowdhury, Mr.
Zahur Ahmed Chaudhury, Mr.

The Ayes being 80 and the Noes 128, the motion was lost.

The motion of Mr. Rajani Kanta Pramanik that the demand of Rs. 76,58,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Jadabendra Nath Panja that the demand of Rs. 76,58,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Mr. Saiyed Muazzamuddin Hosain that a sum of Rs. 76,58,000 be granted for expenditure under the head "7—Land Revenue", was then put and agreed to.

(At this stage the House was adjourned for ten minutes.)

(After adjournment.)

27—Administration for Justice.

The Hon'ble Mr. JOGENDRA NATH MANDAL: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,08,45,000 be granted for expenditure under the head "27—Administration of Justice".

Sir, I need not make any speech at this stage.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that the demand of Rs. 1,08,45,000 for expenditure under the head "27—Administration of Justice", be reduced by Rs. 100. I move this in order to raise a discussion about (1) the method of appointments of Government Pleaders and Public Prosecutors, (2) the necessity of separation of judiciary from the executive, (3) the method of recruitment of Munsiffs, (4) the small number of Munsiffs causing delay in disposal of cases, (5) the method of recording evidence, (6) the low pay of the peons and ill-paid officers and clerks, (7) the paper-book costs of the Hon'ble High Court, and (8) delay in trial of criminal cases and as a consequence of keeping the undertrial prisoners in sub-jails in insanitary conditions.

Sir, I shall speak today to illustrate the necessity of the separation of judiciary from the executive. I have read today a very sensational story which has appeared in today's *Amrita Bazar Patrika*, which will illustrate the necessity of the separation of judiciary from the executive. Sir, the facts in this case are that an incident has taken place in the subdivision of Kishoreganj. A Hindu girl aged 16 was dragged away from her house and certain persons—I do not like to say to which community they belonged—committed criminal assault upon the poor girl. Information was lodged in the thana and a case was started. The case came before the Subdivisional Officer who released them on a bail of Rs. 200 each. The case was transferred to the file of a Lawyer-Magistrate named Mr. B. N. Chaklanobis for disposal. The complainant made objections to the Magistrate that if the accused are released on bail, then the complainant apprehends that they will on being released threaten the complainant party and the witnesses with dire consequences. This trying magistrate, the Lawyer-Magistrate, called for the report of the police and the police also supported the allegations made by the complainant. On the report of the police the trying Lawyer Magistrate granted the bail, but it followed that the accused person appeared before the Subdivisional Officer and wanted the transfer of the case from the file of the Lawyer-Magistrate to the file of the Subdivisional Officer, Mr. Rizvi. This Subdivisional Officer, Mr. Rizvi, acceded to this request and transferred the case from the file of the Lawyer-Magistrate to his own file and released the accused on a bail of Rs. 100. Then, Sir, the complainant moved the District Judge and the District Judge cancelled the bail. This is an instance which——

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: On a point of order, Sir. He is referring to a case which is *sub-judice*.

Mr. DHIRENDRA NATH DATTA: But the point I am dealing with is not *sub-judice*. The case is *sub-judice* but so far as this point is concerned, the bail has been cancelled by the District Judge and it is not *sub-judice*. Sir, this is an instance of the abuse of power by the executive and prostitution of justice.

I know of another case, Sir. In the court of the Subdivisional Officer of Jangipur, Mr. Azizur Rahman, there was a blackmailing case against one Ramesh Chandra Mandal, Head Master of Jangipur H. E. School.

Mr. SPEAKER: Mr. Datta, it is better to avoid mentioning names as far as possible. You may mention simply, the Subdivisional Officer of Jangipur.

Mr. MD. KHUDA BUKHSH: Sir, I think he is referring to a matter which is *sub-judice*.

Mr. DHIRENDRA NATH DATTA: It is not *sub-judice*. The Subdivisional Officer set up a person who came to file a false case and he coerced him to file a false complaint against the Headmaster of Jangipur H. E. School. But this Headmaster was ultimately acquitted. This Headmaster then instituted a case against the Subdivisional Officer of Jangipur. The Munsiff-Magistrate who tried this case has stated that it is one of the worst instances of executive highhandedness and he has granted damages to Mr. Ramesh Chandra Mandal.

Sir, I know of another case in the Court of Mr. A. N. Mukherji, Subdivisional Magistrate of Brahmanbaria. It is very difficult not to name them, but I bow down to your ruling, Sir.

Mr. SPEAKER: Mr. Datta, when you are speaking on the general question of separation of judiciary from the executive, I do not think there is any necessity to name them.

Mr. DHIRENDRA NATH DATTA: The Subdivisional Officer there resorted to the similar method. He also set up a person to institute a false case. Formerly, during my school days, during the Partition days, this section 110 of Criminal Procedure Code used to be prostituted for imperialistic purposes. And now this executive are prostituting and abusing their powers not for imperial purposes, but for other purposes. So I think, Sir, that the judiciary should be separated from the executive.

Then, Sir, I shall speak a few words about the low pay of the peons and process-servers. I am grateful to my friend Mr. Charu Chandra Bhandari for reminding me about them.

Of all the Government servants the process-servers are the most affected class. Their salary is only Rs. 13 to Rs. 18, and with dearness allowance and interim pay them are not getting more than Rs. 40. At present they have to perform more responsible and risky duty than that of a postman, and yet the postman gets Rs. 8 to 12 more than the process-server.

Sir, the All-India Muslim League, in its session, in 1942, by its Resolution No. 14, pledged that the salary of the lowest paid Government servant should not be fixed at less than Rs. 50 per month. But nothing has yet been done by the Muslim League Ministry. (At this stage the red light was lit.)

As my time is up, Sir, I commend my motion, with these few words, to the acceptance of the House.

Mr. J. C. GUPTA: Mr. Speaker, I beg to move that the demand of Rs. 1,08,45,000 for expenditure under the head "27—Administration of Justice" be reduced by Rs. 100.

Sir, I move this motion in order to raise a discussion about Coroner's Court injustice to the last incumbent and failure to implement Coroner's verdict.

Sir, in cases of unnatural death an inquest has got to be held. The police holds the inquest in mufassil areas, and it is more or less a formal matter. But Presidency towns like Calcutta have the privilege of having a Coroner who enquires into every case of unnatural death, and it is not a mere formal matter. He has got to find out where, when and how the death occurred, and it is the duty of the police to place before the Coroner all evidences for the purpose of ascertaining those facts. The Coroner is appointed for five years with option for another five years by Government. Before the last incumbent and his predecessor, the Coroner used always to be a non-Indian. The previous Coroner, who was Mr. A. C. Dutt, held office for over ten years. Then Mr. Azizul Huq, another member of the English Bar, was appointed Coroner in April 1941. In November, 1945, he, in the usual course, applied for renewal of another term of five years. I may also mention, but subject to correction by the Hon'ble Minister, that all the Deputy Commissioners of Police and also the public had approved of the services of this Coroner But in November, 1945, as we all know, over the I. N. A. Day procession in Dhurrumtalla, a shooting incident took place and a person was killed. Now, the Coroner viewed the body and he held an enquiry. But our redoubtable Deputy Commissioner of the South, Mr. Shamsuddoha, who is by this time known to everybody, told the Coroner that he had got no evidence to call and he could not assist the Coroner in finding out where, when and how that death occurred, beyond saying that the dead body was received at the Medical College. Upon this the Coroner said that it was the duty of the police to place all evidence and if they did not do it, he would be under the painful necessity of exercising his power to summon the Deputy Commissioner of Police and others to appear before him and to give information with regard to all the facts.

Mr. Speaker, Sir, you are aware this Coroner insisted upon the appearance of the police officers and when they appeared during their cross-examination, materials were before the Jury upon which the Jury returned a verdict of deliberate shooting with regard to this person. Now, that made the question of his removal apparent. I should like the Minister—of course, that was under the section 93 administration—but it is up to the present Ministry to see why a person, a gentleman who has done his duty, who has not only done credit to his office but the *Statesman* had an editorial article regarding the act of this Coroner commending his activities and how he discharged his duties, has not been reappointed as Coroner. I am not saying anything against the Hindu Coroner who has been appointed. It is not a question of Hindu or Muslim to me, it is a question of a Coroner doing his duty and it is up to us to know why this gentleman who has been spoken of well by the public, who has been spoken of well, until that enquiry, by also the police officers, who has been spoken of well by the Europeans—I mean the *Statesman* by a leading article as one who was fearlessly doing his duties—why he was not reappointed. That is the question that I particularly want to ask. (MR. MUHAMMAD ISRAIL: Who is responsible for this? Not this Government.) But this Government can look into it and can easily reappoint him. That is what we want. This Government may not have done that, but why should this happen? That is the question that I want to raise by this cut motion. I do not move it as a cut motion to discredit the present Ministry, but if they do not look into it, certainly they will come in for discredit. Certainly I will expect the Ministerialist Party to come forward and move and see that this cannot be done.

Sir, he may not be anxious for reappointment—I know, I had the privilege of having his assistance as my junior—as a lawyer he may not

want it, but in the interest of the public a Coroner who has won the confidence of the public, the confidence of all communities, should not in this way be victimized or insulted because he did not fall in with the wishes of the Deputy Commissioner of the South, a person about whose activities we all know. Non-implementation of the verdict I want to specially emphasize. I hope all members of the House will agree that this is a matter which the Minister ought to look into.

Sir, there is only one other point which I wanted to mention with your permission. With regard to the Rashid Ali Day and other processions, the privilege which the Calcutta citizens enjoy of having bodies viewed by the Coroner was denied. As the Deputy Commissioner has the right, he ordered the disposal of the body without allowing the Coroner to view it. This is also a serious attack on the privilege of the House which I want the Minister to look into.

Mr. SURESH CHANDRA DAS GUPTA : মাননীয় স্পীকার মহোদয়, administration of justice সম্বন্ধে যে কথা বীরেন বাবু বলেছেন আমি সেটা সমর্থন করতে দাঁড়িয়েছি। এখানে administration of justice লেখা আছে, কিন্তু প্রকৃত পক্ষে administration of justice নেই।

তিনি process-serverদের কথা উল্লেখ করেছেন। Process-serverরা কত সামান্য মাইনে পান। Process-serverদের জন্য process-fee আদায় হয় ২০,২৫,৯৪৩ টাকা আর process-serverদের জন্য ব্যয় হয় মাত্র ১১,১৫,৪৩৯৲ টাকা। আমাদের লাভ থাকে, ৯,১০,৫০৪৲ টাকা। বলা হয় সব ব্যাপার nationalisation করলে গভর্ণমেণ্টের হাতে গেলে সাধারণ লোকের নিকট ঐ ব্যাপারের আসল খরচের অতিরিক্ত লাভ নেওয়া হবে না। যদি বাস্তবিক process-serverদের জন্য ১১,১৫,৪৩৯৲ টাকা খরচ হয়, তাহলে যারা মামলা মকদ্দমা করে তাদের কাছ থেকে অতিরিক্ত ৯,১০,৫০৪৲ টাকা যে নেওয়া হয়--এটা ফাঁকী দিয়ে নেওয়া ছাড়া কি; blackmarketing, profiteering এবং monopolising ছাড়া আর কি হতে পারে?

আমরা জানি process-serverরা ঘুষ খায় বলে একটা অপবাদ আছে। ফরিদপুর থেকে জুরী system উঠিয়ে দেওয়া হয়েছে সেখানে নাকি জুরীরা ঘুষ খায়। কিন্তু বাংলার জেলায় জেলায় Honorary Magistrateদের সম্বন্ধে ঘুষ খাওয়ার একটা অপবাদ অবিশ্রান্ত চলেছে। আজও পর্যান্ত Honorary Magistrate উঠিয়ে দেওয়া হ'ল না। সেই Honorary Magistrateরা ব্যক্তিগত জীবনে কোন জায়গায় সালিশী করতে যান না। অথচ বেলা দশটা থেকে পাঁচটা পর্যান্ত কিসের আশায়, কিসের লোভে কাছারীতে থাকেন এটা আমাদের ভাববার কথা। Administration of justice বিভাগে peonদের মাইনে গড়ে ১৯৲ টাকা এবং dearness allowance ঠিক হয়েছে মাত্র তিনটি টাকা। এটা Government of India করে দিয়েছেন। কিন্তু আপনারা যখন dearness allowance দিলেন তখন চালের দাম বড় হাকিমেরও যা পিয়োন, পেয়াদাদেরও তা। বড় হাকিমরা বেশী মাইনা পায় বলে তাঁদের পেটের থলি তো বেড়ে যায়নি যে তাঁরা বেশী চাল খান? এঁরাও যত চাল খান, পিওনরাও তত চাল খায়। কিন্তু মাত্র তিনটি টাকা দিয়ে সেই পিওনরা কি কিনবে? বড় বড় হাকিম যাঁরা বেশী মাইনে পান তাদের বেলায় কিন্তু dearness allowanceএর পরিমাণ দিলেন বাড়িয়ে। এই সব সম্বন্ধে ভেবেছিলাম যে, যেখানে administration of justice আছে, সেখানে সত্যই ন্যায় বিচার হবে। কিন্তু তা হয়নি।

আমার বাল্যকালে, আমাদের বগুড়াতে একজন ডাক্তার ছিলেন। আজ পঞ্চাশ বছরের আগের কথা। তিনি ইংরাজী জানতেন না। বাংলায় prescription লিখতেন। তিনি নিজের জন্য আইন করেছিলেন যে, যারা কম মাইনে পায়, তাদের কাছ থেকে কম visit নেবেন, আর যারা বেশী মাইনে পায় তাদের কাছ থেকে বেশী visit নেবেন। পঞ্চাশ বছর আগে এটা দেখেছি--ইংরাজী না জানা লোককে করতে। আর আজ আমাদের দেশে যাঁরা control করেছেন তারা বড়লোককে dearness allowance বাড়িয়ে দিয়ে, তাদের কাছ থেকেও ১৫৲ টাকা মণ চালের দাম নিচ্ছেন, আর ১৯৲ টাকার উপর ৩৲ টাকা বাড়িয়ে দিয়ে যাদের মাত্র ২২৲ টাকা হয়েছে তার কাছ থেকেও নিচ্ছেন সেই ১৫৲ টাকা করে। আমি যতটুকু ইংরাজী পড়েছি তাতে বুঝে উঠতে পারছি না --এই justiceটা কি material noun না abstract noun? (Laughter.)

আমাদের দেশে যাঁরা মামলা মকদ্দমা করতে আসেন তাঁদের টাকা দিয়ে হাকিমরা মাইনে পান। হাকিমরা কিভাবে সাক্ষী ও পার্টির সঙ্গে ব্যবহার করেন সেটা মফঃস্বলের আদালতের যাদের ধারণা আছে, তাঁরা সকলে

জানেন। হাকিমদের জন্য বড় বড় quarters, ঘর হচ্ছে নানা জায়গায়, কিন্তু যাদের court-fee দিয়ে এই administration of justice চলছে, তারা যখন আদালতে আসে, তখন তাদের গাছতলা ব্যতীত আর কোন সম্বল থাকে না।

আমি হিসাব করে দেখেছি মফঃস্বলে ৩০৬ জন বিচারক আছেন। মামলা করলে, হিসাব মত যত মামলা ১৯৪৪ সালের administrative report-এ আছে, তা হিসাব করলে এক দিনে তাঁদের আটটা করে মামলা করতে হয়। তার ভিতর খরচের মামলা আছে, আবার নীলাম রদের মামলাও আছে। এখন আপনারা ভেবে দেখুন যে দিনে আটটা করে মামলা করলে, যে বিচার হয় সেটা abstract noun না material noun? সেটা আমি আপনার কাছ থেকে শুনতে চাই।

The Hon'ble Mr. JOGENDRA NATH MANDAL: Sir, the time at my disposal is very short and I shall try to be very brief. I shall confine my reply to the points raised.

Mr. Datta has raised the point that the judiciary should be separated from the executive. It has been a long standing and much discussed problem and once it engaged the attention of Government a few years back. Government considered the financial implications of the proposal and found that several lakhs of rupees were to be spent if the executive was to be separated from the judiciary. Only on financial grounds the proposal was dropped then. (Mr. Haripada Chatterjee: In what year was that?) Sir, I admit that it is a good proposal to separate the executive from the judiciary, and every right-thinking man will agree with me that the judiciary should be independent of any control or influence. I can tell the House this much that the matter will be considered again as to whether the judiciary can be separated from the executive.

Regarding the low pay of peons and other low paid officers, I can tell the House this much that the matter is under consideration of Government. The scales of pay are being examined and revised and I think Government will be able to pay enhanced pay.

Then, Sir, there is one point which I have omitted. Mr. Datta has referred to three cases of Subdivisional Officers. The facts, Sir, are not before me and I am not in a position to reply to all the points raised, but Mr. Datta has not explained or told the House whether the undertrial prisoner who was given bail by Mr. Rizvi, S.D.O., of Kishoreganj, committed a bailable offence or not. If it was a bailable offence then surely the trying Magistrate was quite competent to grant bail. I do not know, Sir, what circumstances actuated him to grant bail. (Mr. Dhirendra Nath Datta: What about the District Judge?) Of course, Sir, it might be that the decisions of many District Judges have been turned down by the High Court. But that does not show that the District Judge here committed an offence. If he was *bona fide* in his judgment he was quite competent to come to his decision.

Mr. DHIRENDRA NATH DATTA: He was not competent to transfer the case to his own file.

The Hon'ble Mr. JOGENDRA NATH MANDAL: When a petition was moved for the transfer of the case he was quite competent to transfer it to any other Court's file. If he thought fit to transfer the case to his own file he was quite in order and was entitled to do that. I do not find anything wrong in that.

Regarding the two other Subdivisional Officers, I do not know the facts. Had notice been given surely I would have examined the facts. Nobody, not even any member of this House, has moved the Government or has brought to the notice of Government regarding the miscarriage of justice by any of the officers. So, I think Mr. Datta was not quite in order when he raised this point. He ought to have informed me

previously and in that case I would have surely looked into the matter. (MR. DHIRENDRA NATH DATTA: Why don't you do it now?)

Now, Sir, regarding the point raised by Mr. Gutpa about appointment of Coroner and not giving an extension to Mr. Haque, I may say this. Mr. Haque was appointed in the year 1941, and he was appointed for a term of five years and when his term expired on the last day of March, 1946, it was decided by the then Government to appoint a non-Muslim as his successor and one Mr. Mukherji who was a Presidency Magistrate was appointed temporarily pending the permanent appointment of a person recommended by the Public Service Commission. Regarding this point and the points in connection with the finding of the enquiry, I have nothing more to add because this matter particularly relates to the Home (Police) Department and not to my Department. Mr. Gupta can very well raise this point in connection with police administration. He will thus get a double chance. Now, Sir, so far as these things are concerned, the points raised were not substantiated against this Department.

One word more and I shall finish. A number of cut motions appeared in the big book and I am very sorry to find that some of the cut motions were put in this form. So far as the allegation against the Secretary of the Judicial Department, namely, that he ignored the interests of Muslims is concerned——

Mr. SPEAKER: Mr. Mandal, you need not refer to it, as that motion has not been moved.

The Hon'ble Mr. JOGENDRA NATH MANDAL: All right, Sir. I have finished. I oppose the cut motions moved and I commend my motion for the acceptance of the House.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 1,08,45,000 for expenditure under the head "27—Administration of Justice" be reduced by Rs. 100, was then put and lost.

The motion of Mr. J. C. Gupta that the demand of Rs. 1,08,45,000 for expenditure under the head "27—Administration of Justice" be reduced by Rs. 100, was then put and a division taken with the following result:—

AYES—81.

Acharjee, Mr. Shitangshu Kanta.
Adhikari, Mr. Amulya Chandra.
Bandyopadhaya, Mr. Pramatha Nath.
Banerjee, Mr. Gobindalal.
Banerjee, Mr. Susil Kumar.
Barman, Mr. Haran Chandra.
Barman, Mr. Mohini Mohan.
Barury, Mr. Dwarka Nath.
Basu, Mr. Hemanta Kumar.
Basu, Mr. Jyoti.
Bhandari, Mr. Charu Chandra.
Bhattacharjee, Mr. Ganendra Chandra.
Bhattacharjee, Mr. Munindra Nath.
Bhattacharyya, Mr. Shyamapada.
Birsha, Mr. Bir.
Biswas, Mr. Bhola Nath.
Biswas, Mr. Gayanath.
Bose, Mr. Satish Chandra.
Chakraborty, Mr. Benode Chandra.
Chakravarty, Mr. Satish Chandra.
Chatterjee, Mr. Haripada.
Chattopadhyaya, Mr. Mihir Lal.
Chowdhury, Mr. Annada Prosad.
Das, Miss Bina.
Das, Mr. Brojomadhab.
Das, Mr. Jogendra Chandra.
Das, Mr. Radha Nath.
Das Gupta, Mr. Suresh Chandra.
Dass, Mr. Kanailal.
Datta, Mr. Dhirendra Nath.
De, Mr. Kanai Lal.
Dhar, Mr. Manoranjan.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutt-Mazumdar, Mr. Niharendu.
Ganguli, Mr. Bepin Behari.
Gayen, Mr. Arabinda.
Ghose, Mr. A. K.
Ghose, Mr. Bimal Comar.
Ghosh Chowdhury, Mr. Haran Chandra.
Guha Roy, Dr. Protap Chandra.
Gupta, Mr. J. C.
Gupta, Mr. Monoranjan.
Gurung, Mr. Damber Singh.
Jalan, Mr. Iswar Das.
Khaitan, Mr. Debi Prosad.
Kundu, Mr. Nishitha Nath.
Lahiri, Mr. Provas Chandra.
Mahanty, Mr. Charu Chandra.
Maiti, Mr. Nikunja Behari.
Majumdar, Mr. Bhupati.
Mal, Mr. Iswar Chandra.
Mallick, Mr. Ashutosh.
Mandal, Mr. Annadaprasad.
Mandal, Mr. Bankubehari.
Mandal, Mr. Krishna Prasad.
Mukherji, Mr. Dhirendra Narayan.
Murarka, Mr. Basantlal.
Nandy, Maharaja Sris Chandra, of Cossimbazar.

Naskar, Mr. Ardhendu Sekhar.
Naskar, Mr. Hem Chandra.
Panja, Mr. Jadabendra Nath.
Pramanik, Mr. Purna Chandra.
Pramanik, Mr. Rajani Kanta.
Ray, Mr. Kamal Krishna.
Ray Barman, Mr. Rajani Kanta.
Roy, Mr. Harendra Nath.
Roy, Mr. Kiran Sankar.
Roy, Mr. Ram Hari.
Roy, Mr. Rup Narayan.
Sarkar, Mr. Bijoy Krishna.
Sarkar, Mr. Rajendra Nath.
Sarker, Mr. Prafulla Ranjan.
Sen, Mrs. Ashalata.
Sen, Mr. Debendra Nath.
Sen, Mr. Satindra Nath.
Sen Gupta, Mrs. Nellie.
Singha, Mr. Arun Chandra.
Singhi, Mr. Narendra Singh.
Sinha, Mr. Bimal Chandra.
Thakur, Mr. Pramatha Ranjan.

NOES—119.

Abdul Ahad, Dr.
Abdul Awal, Mr.
Abdul Aziz, Maulana Md.
Abdul Aziz Munshi, Mr.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Mia, Mr.
Abdul Hakim Vikrampuri, Mr. Md.
Abdul Halim, Mr. Molla Mohammad.
Abdul Hamid, Mr.
Abdul Hannan, Mr.
Abdul Karim, Mr.
Abdul Khaleque, Mr.
Abdul Mannan, Mr. Fakir.
Abdul Momin, Mr.
Abdullahel Baqui, Mr. Md.
Abdur Rahman, The Hon'ble Mr. A. F. M.
Abdur Rahman Khan (alias Nuru Mia), Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rashid, Maulana Khondkar.
Abdus Salam, Mr. Md.
Abul Masud, Mr. Kazi.
Abul Quasem, Mr.
Ahammad Ali, Mr. Mir.
Ahmed Ali Mridha, Mr.
Ahmed Hosain, the Hon'ble Mr.
Ahmed Kabir Chowdhury, Mr.
Akbar Ali, Maulvi.
Ali Ahmed Khan, Mr.
Anwara Khatun.
Asan Ali Muktear, Mr.
Aulad Hossain Khan, Mr.
Azizur Rahman, Mr. Syed.
Badiuzzaman Muhammad Ilias, Mr.
Bafatuddin Talukdar, Mr. A. K. M.
Ebrahim Khan, Mr.
Eskandar Ali Khan, Mr.
Farid Ahmad Chowdhury, Mr.
Fazlul Karim, Mr.
Fazlul Qadir, Mr.
Fazlur Rahman (Dacca), Mr.
Fazlur Rahman (Mymensingh), Mr.
Fazlur Rahman (Noakhali), Mr.
Gladding, Mr. D., C.I.E.
Gomes, Mr. D.
Habibul Huq, Mr. Syed.
Hafizuddin Choudhuri, Mr.
Hamiduddin Ahmed, Mr.
Hassan Ali, Mr.
Haywood, Mr. R.
Husan Ara Begum.
Ilias Ali Molla, Mr.
Kabir Ahmed Choudhury, Mr.
Kazem Ali Mirza, Shahibzada Kawan Jah Saiyid.
Khairat Hossain, Mr.
Khuda Bukhsh, Mr. Md.
Khurram Khan Panee, Mr.
Lutfar Rahman, Mr.
Lutfar Rahman, Mr. Dewan.
Madar Bux, Mr.
Mahammad Owais, Mr.
Mahammad Sayeed Mia, Mr.
Majibar Rahman, Maulvi.
Malik, Dr. A. M.
Mandal, The Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Mr.
Martuza Reza Chowdhury, Mr.
Masihuddin Ahmed, Mr. (*alias* Raja Miah).
Mazharul Haque, Mr. Abu Taiyab.
Miles, Mr. C. W.
Mobarak Ali Ahmed, Mr.
Mohammad Sharif Khan, Mr.
Mohammad Ali, The Hon'ble Mr.
Mozammel Hossain, Dr.
Mudassir Hossain, Mr.
Muhammad Habibullah Chaudhury, Mr.
Muhammad Idris, Maulvi.
Muhammad Israil, Mr.
Muhammad Quasem, Maulana Haji.
Muhammad Qumruddin, Mr.
Mullick, Mr. Mukunda Behary.
Musharruff Hossain, Nawab, Khan Bahadur.
Muzaffar Rahman Choudhury, Mr.
Nawajesh Ahmed, Mr.
Nawab Ali, Mr.
Norton, Mr. H. R., M.B.E.
Nurazzaman, Mr.
Osman Ali, Mr.
Osman Gani, Mr., Md.
Paniruddin Ahmed, Mr.
Pilkington, Mr. D. C. B.
Platel, Mr. R. E.
Powell, Mr. J. A.
Ray, Mr. Nagendra Narayan.
Salim, Mr. S. A.
Serajal Haque, Mr. Syed.
Serajuddin Ahmed, Mr. (Midnapore).
Serajuddin Ahmed, Mr. (Gaibandha).
Serajul Islam, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Chowdhury (*alias* Badsha Mia), Mr.
Shamsuddin Ahmed Khondkar, Mr.
Shamsuddin Sikdar, Mr. Md.
Sharfuddin Ahmad, Mr.
Smart, Mr. J. N.
Smith, Mr. A. B.
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Stevenson, Mr. R. A. H.
Suhrawardy, the Hon'ble Mr. H. S.
Tafazzal Ali, Mr.
Tayler, Mr. A. W.
Tofazzal Hossain, Mr.
Walton, Mr. A. C.

Whitehead, Mr. R. B.	Wordsworth, Mr. W. C., C.I.E.
Wilkinson, Mr. G.	Yusuf Hossain Choudhury, Mr.
Wilks, Mr. G. C. D.	Zahur Ahmed Choudhury, Mr.

The ayes being 81, and noes 119, the motion was lost.

Mr. SPEAKER: One vote has been scratched.

The Hon'ble Mr. MOHAMMED ALI: How one vote has been scratched?

Mr. SPEAKER: It was recorded after the division has closed.

The Hon'ble Mr. MOHAMMED ALI: May I draw your attention, Sir, to the inconvenience which is being caused to members observing fast? I would suggest that you would kindly adjourn the House now and take up the remaining business tomorrow.

Mr. SPEAKER: There is no business except to put the demand of the Hon'ble Minister to votes.

The motion of the Hon'ble Mr. Jogendra Nath Mandal that a sum of Rs. 1,08,45,000 be granted under the head "27—Administration of Justice", was then put and agreed to.

Adjournment.

The House was then adjourned at 6-50 p.m. till 3-30 p.m. on Wednesday, the 14th August, 1946, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

The Assembly met in the Assembly House, Calcutta, on Wednesday, the 14th August, 1946, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. NURUL AMIN), in the Chair, 6 Hon'ble Ministers and 221 members.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Supersession of Contai Union Board.

5. **Mr. PRAMATHA NATH BANERJEE:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*a*) whether the Contai town union board (union No. 15) was superseded by the Government last January;

(*b*) whether it is a fact that the old board and not the new one was recommended by the District Magistrate for supersession;

(*c*) if so, the reasons why the new board was superseded;

(*d*) whether the Government contemplate restoring the new board; and

(*e*) if so, when?

MINISTER in charge of the LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Mohammed Ali): (*a*) The union board was superseded by the Commissioner of the Burdwan Division with the approval of the Provincial Government by his order, dated the 11th February, 1946.

(*b*) Yes.

(*c*) The union board was reconstituted on the 12th December, 1945, when the question of supersession of the board was under consideration of the Commissioner. When the Commissioner passed the order of supersession he was not aware of the fact of the reconstitution of the union board. The reconstituted union board was thus superseded under a misapprehension.

(*d*) and (*e*) The Commissioner, Burdwan Division, has rescinded the order of supersession by an order, dated the 25th July, 1946, and has directed that the union board shall function from the 1st August, 1946.

Mr. BIMAL COMAR GHOSE: In view of the fact that two months have elapsed since the Board was reconstituted and the order of supersession was made, will the Hon'ble Minister be pleased to state why this fact did not come to the notice of either the Minister or his office or of Government?

Mr. SAYED ABDUS SALIM: The order was overlooked and it was a *bona fide* mistake.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to state how the mistake arose?

Mr. SAYED ABDUS SALIM: When it was reconstituted, the whole thing was mislaid.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state when the mistake was brought to the notice of Government?

Mr. SAYED ABDUS SALIM: I cannot say the exact date, but steps have been taken to reconstitute it.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to take steps so that such mistakes might not recur in future and the union boards of Bengal might not suffer in that way through the oversight on the part of Government?

Mr. SAYED ABDUS SALIM: Yes, the suggestion will be taken note of.

Mr. BIMAL COMAR CHOSE: In answer (*d*) and (*e*) it has been stated that the Commissioner, Burdwan Division, rescinded the order of supersession by an order, dated the 25th July, 1946, and has directed that the union board shall function from the 1st August, 1946. Will the Hon'ble Minister be pleased to state in what way the Board has been reconstituted?

Mr. SAYED ABDUS SALIM: The Board was already reconstituted and now orders have been given to elect its President and Vice-President.

Mr. PROTAP CHANDRA GUHA ROY: May I know from the Hon'ble Minister if the Commissioner who superseded the Board is still in service?

Mr. SAYED ABDUS SALIM: Yes.

Mr. PROTAP CHANDRA GUHA ROY: Do the Government contemplate to take any action against him?

Mr. SAYED ABDUS SALIM: No.

Mr. MIHIR LAL CHATTOPADHYAYA: In view of the inefficiency of the Divisional Commissioner, will the Hon'ble Minister be pleased to abolish the posts of Divisional Commissioners altogether?

Mr. SPEAKER: That question does not arise.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state the name of the Divisional Commissioner concerned?

Mr. SAYED ABDUS SALIM: I ask for notice.

Mr. HEMANTA KUMAR BASU: Was the Commissioner acting under a misapprehension?

Mr. SAYED ABDUS SALIM: No. It was through an oversight.

Release of the premises of Albion Jute Mills, Ltd.

6. Dr. SURESH CHANDRA BANERJEE: (*a*) Will the Hon'ble Minister in charge of the Department of Commerce, Labour and Industries be pleased to state whether it is a fact that at the time of the last war the premises of the Albion Jute Mills, Ltd., Kalipur, Budge Budge, district 24-Parganas, were taken over by the American Military Department and the workers of that Mill were shifted to Chitragunge to work as "B" shift there?

(*b*) If the answer to (*a*) be in the affirmative is the Hon'ble Minister considering the desirability of moving the Central Government for early release of the Albion Jute Mill premises?

MINISTER in charge of the COMMERCE, LABOUR and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Shamsuddin Ahmed): (*a*) Yes.

(*b*) The Government of Bengal have already moved the Government of India, War Department, for release of the Albion as well as other requisitioned Jute Mills.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state what arrangements Government have made to accommodate the workers who were employed in the Albion Jute Mills?

Mr. HAMIDUDDIN AHMAD: They are working in the Chitraganj Jute Mills.

Mr. NIHARENDU DUTT-MAZUMDAR: Is the Hon'ble Minister aware that a large number of those workers have been sacked as a result of the application of the recent Hours of Work (Amendment) Act?

Mr. HAMIDUDDIN AHMAD: I want notice.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether Government has in contemplation to perpetuate the arrangement for the accommodation and employment of those workers until the Albion Jute Mills premises has been released by the Government of India?

Mr. HAMIDUDDIN AHMAD: Government is taking every possible step to get the premises back at the earliest possible opportunity.

Dr. SURESH CHANDRA BANERJI : Government কি অবগত আছেন যে, চার বৎসর যাবৎ এই সব jute millএর বাড়ী ঘর সামরিক কর্তৃপক্ষ কর্তৃক অধিকৃত হয়েছে?

Mr. HAMIDUDDIN AHMAD: Yes.

Dr. SURESH CHANDRA BANERJI : মাননীয় মন্ত্রী মহাশয় দয়া করে বলবেন কি যে, এই রকমে এইভাবে সামরিক বিভাগ চটকলসমূহের বাড়ী ঘর দখল করবার ফলে এই সব চটকল শ্রমিকদের অন্য সব চটকলে গিয়ে সেখানকার কারখানায় কাজ করতে হচ্ছে?

Mr. HAMIDUDDIN AHMAD: Yes

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state how many jute mills besides the Albion Jute Mills were requisitioned by the Government of India for military purposes?

Mr. HAMIDUDDIN AHMAD: The number may be 20, but I cannot give the actual figure.

Dr. SURESH CHANDRA BANERJI : মাননীয় মন্ত্রী মহাশয় কি অবগত আছেন যে, এই সব B shiftএর শ্রমিকদের সকালে ১০টা থেকে ২টা এবং বিকালে ৬টা থেকে ১১টা পর্যন্ত প্রতিদিন কাজ করতে হয়?

Mr. HAMIDUDDIN AHMAD: Yes.

Dr. SURESH CHANDRA BANERJI : মাননীয় মন্ত্রী মহোদয় কি অবগত আছেন যে, এইভাবে প্রতিদিন কাজ করার ফলে, চার বৎসর পর্যন্ত বিনা বিরামে প্রতিদিন এইভাবে কাজ করার ফলে শ্রমিকদের স্বাস্থ্য ক্রমশ: ভেঙ্গে পড়ছে?

Mr. HAMIDUDDIN AHMAD: I am not aware of the fact, but Government feels that there may be some inconvenience among the labourers.

Dr. SURESH CHANDRA BANERJI : মাননীয় মন্ত্রী মহোদয় দয়া করে বলবেন কি যে, এই সব কারখানার প্রায় ১২,০০০ মেয়ে শ্রমিককে কি রাত সাতটা থেকে ১১টা পর্যন্ত কাজ করতে হয়?

Mr. HAMIDUDDIN AHMAD: I want notice.

Dr. SURESH CHANDRA BANERJI : মাননীয় মন্ত্রী মহোদয় কি জানেন যে, factory আইন অনুসারে মেয়েদের সন্ধ্যার পর কোন কারখানায় কাজ করা নিষেধ?

Mr. HAMIDUDDIN AHMAD: Yes.

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্রী মহোদয় দয়া করে বলবেন কি যে, Government কোন বিশেষ অনুমতি দিয়েছিলেন বলে এই সব কারখানার পক্ষে এই সব মেয়ে শ্রমিকদের সন্ধ্যার পর কাজ করানো সম্ভব হয়?

Mr. HAMIDUDDIN AHMAD: Yes.

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্রী মহোদয় দয়া করে বলবেন কি যে, পয়লা আগষ্ট থেকে exemption order সরিয়ে নেওয়ার ফলে প্রায় ১২ হাজার মেয়ে শ্রমিকদের কাজ যাবার উপক্রম হয়েছে?

Mr. HAMIDUDDIN AHMAD: Yes, a difficulty has arisen. But I cannot give the actual number.

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্রী মহোদয় দয়া করে বলবেন কি যে, এই যে সব অসুবিধা হয়েছে মেয়ে শ্রমিকদের এবং অন্যান্য রকম পুরুষ শ্রমিকদের, সেই অসুবিধা দূর করবার জন্য Governmentএর পক্ষ থেকে কি করা হয়েছে?

Mr. HAMIDUDDIN AHMAD: As I have already stated, Government is making every possible effort to get back all those buildings which have been requisitioned by the Government of India for military purposes, but I can tell the honourable member that both the employers and the employees are very anxious to get back the buildings.

Mr. NIHARENDU DUTT-MAZUMDAR: With reference to answer (*b*), namely, the Government of Bengal have already moved the Government of India, War Department, for release of the Albion as well as other requisitioned jute mills, will the Hon'ble Minister be pleased to state about how long ago was the Government of India moved to this effect and how long does it expect to take a decision in regard to this matter?

Mr. HAMIDUDDIN AHMAD: After the cessation of hostilities.

Mr. NIHARENDU DUTT-MAZUMDAR: Please mention the approximate year and the month.

Mr. HAMIDUDDIN AHMAD: I cannot give the actual year and month.

Dr. SURESH CHANDRA BANERJI: মাননীয় মন্ত্রী মহোদয় কি জানেন যে, কিছু দিন আগে এই সব চটকলের শ্রমিকরা এখানে বিক্ষোভ প্রদর্শনের ফলে মাননীয় মন্ত্রী মহোদয় তাদের assurance দিয়েছিলেন। তারা পরের দিন গিয়ে Writers' Buildingsএ তাঁর সঙ্গে দেখা করে, এবং তখন তিনি বলেছিলেন যে, এ সম্বন্ধে তিনি সকলের সঙ্গে আলাপ করবেন এবং যথাবিহিত ব্যবস্থা করতে চেষ্টা করবেন। মাননীয় মন্ত্রী মহোদয় বলবেন কি যে, তিনি দিল্লী গিয়ে এ সম্বন্ধে কি করেছেন এবং তাঁর চেষ্টার কি ফল হয়েছে?

Mr. HAMIDUDDIN AHMAD: The Hon'ble Minister after going to Delhi came in contact with the authorities and he pressed the view-point of the Bengal Government and asked the Government of India to expedite the matter of releasing the mills.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state the names of the jute mills requisitioned by the Government for war purposes?

Mr. HAMIDUDDIN AHMAD: I ask for notice.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will the Hon'ble Minister be pleased to state how many workers have been evicted by the requisitioning of jute mills?

(No reply.)

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state whether the Government of India was moved by the present Ministry or by the authorities during the 93 regime?

Mr. HAMIDUDDIN AHMAD: The actual correspondence began from section 93 administration, but this Ministry is more vigilant over this.

Dr. SURESH CHANDRA BANERJI: On a point of privilege, Sir. মাননীয় মন্ত্রী মহোদয় নিজে এখানে উপস্থিত আছেন এবং তিনি বলেছিলেন যে, তিনি দিল্লী গিয়ে এ সম্বন্ধে যা কিছু পারেন, করে আসবেন। আমি মাননীয় মন্ত্রী মহোদয়কে জিজ্ঞাসা করতে চাই তিনি দিল্লী গিয়ে এ সম্বন্ধে কি করেছেন এবং কোন ব্যবস্থা করতে পেরেছেন কি না? তিনি যেন বলেন কি করে এসেছেন।

Mr. SPEAKER: That is not a point of privilege.

The Hon'ble Mr. SHAMSUDDIN AHMED: My friend Dr. Banerjee wants to know what I have done so far as this matter is concerned. I am very sorry my friend did not go to Delhi according to his promise.

Dr. SURESH CHANDRA BANERJI: No, I did not give any promise.

The Hon'ble Mr. SHAMSUDDIN AHMED: Yes, you did make promise. Then I went to Delhi and saw the Member-in-charge, Government of India, Sir Akbar Hydari, and he asked me to submit something like a requisition so that he might discuss the whole thing of derequisitioning with the Commander-in-Chief and speedily dispose of the thing. I asked my Secretary and already Sir Akbar Hydari has been communicated to and I hope Sir Akbar Hydari will deal with the matter effectively. I am going again on Sunday next and I hope to take up the matter with Sir Akbar Hydari. I am trying to speed up the whole thing as quickly as possible.

Proposal for a new circle to tackle the Kaliaghye menace.

7. Mr. ISWAR CHANDRA MAL: (*a*) Will the Hon'ble Minister in charge of the Department of Irrigation and Waterways be pleased to state whether it is a fact that a new circle has been proposed and recommended and is under consideration of the Government to start a circle with an Assistant Engineer and other staffs to deal with the Kaliaghye-Baghui-Kapaleswari and Cossye flood problem within the jurisdiction of the Cossye Division other than the existing circles?

(*b*) If the reply to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state how long it will take to materialise the proposal?

(*c*) If the reply to (*a*) is in the negative, will the Hon'ble Minister be pleased to consider the desirability of making a new circle with an Assistant Engineer and his staff to tackle the Kaliaghye menace?

MINISTER in charge of the DEPARTMENT of IRRIGATION and WATERWAYS (the Hon'ble Mr. Abul Fazal Muhammad Abdur Rahman): (*a*) No.

(*b*) Does not arise.

(*c*) The existing Cossye Division will deal with the proposed Kaliaghye Extension Scheme which is under examination.

Mr. ISWAR CHANDRA MAL: Will the Hon'ble Minister please state whether he is aware of the seriousness of the Kaliaghye, Baghui, Kapaleswari and Cossye rivers and the constant floods breaching the embankments and flooding about 400 square miles of paddy lands?

The Hon'ble Mr. A. F. M. ABDUR RAHMAN: Yes, I am aware of it.

Mr. ISWAR CHANDRA MAL: Will the Hon'ble Minister be pleased to state whether Government have considered the question of opening a new circle and putting this river question under that circle?

The Hon'ble Mr. A. F. M. ABDUR RAHMAN: No, I do not think it will be necessary. The present division—the Cossye division—will be able to tackle the problem.

Mr. ISWAR CHANDRA MAL: I want a new circle.

The Hon'ble Mr. A. F. M. ABDUR RAHMAN: I do not think a new division will be necessary. The Cossye division will be able to tackle your question.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state how many circles are there under the Cossye division?

The Hon'ble Mr. A. F. M. ABDUR RAHMAN: I ask for notice.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state what amount of money has been estimated for the Kaliaghye extension scheme?

Mr. A. F. M. ABDUR RAHMAN: I ask for notice.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be very pleased to consider the desirability of opening a new circle under the Cossye division very soon in order to tackle with the problem stated by my friend Mr. Iswar Chandra Mal?

Mr. A. F. M. ABDUR RAHMAN: In my answer to (c) I have stated that the existing Cossye division will deal with the proposed Kaliaghye extension scheme. So, it is not necessary to open up another division.

Mr. SPEAKER: Questions over.

Points of information.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Sir, I want to draw your attention to the fact that we on this side of the House gave notice of so many questions. Unfortunately we are not getting any reply. It seems, Sir, that the office supplied replies to questions of the European Party first, the Congress Party second and last our Party. How long are we to wait to get our replies?

Mr. SPEAKER: Sometime before mention was made that the questions put by the European members were answered and then probably the Government took note of it and the questions put by Indian members are being answered now. Now, I find another grievance that the questions put by members belonging to the Government Party are not being answered. I think they will again take note of it and turn their attention to them.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: I do think, Sir, that Communal Ratio Rules will be observed in this matter also. (Laughter.)

The Hon'ble Mr. MOHAMMED ALI: Sir, I reiterate that there is no discrimination in the Secretariat or by the Ministers in sending replies to questions. We deal with the questions as they come up before us. So, the question of discrimination either in favour of the European Party or in favour of the members of the Opposition does not arise.

Mr. SPEAKER: I hope so.

Mr. GANENDRA CHANDRA BHATTACHARJEE: Mr. Speaker, Sir, the other day I gave notice of an adjournment motion about the firing at Narayanganj and we had the assurance from the Government side that they would give reply to the short-notice question tabled by Mr. J. C. Gupta, but I am sorry till now they are not prepared to give answer and have not given any answer.

Mr. SPEAKER: That question has been sent to Government.

Mr. Khwaja NASARULLA: We have sent for information from Narayanganj and as soon as it comes I assure the member that answer will be given.

Mr. GANENDRA CHANDRA BHATTACHARJEE: Will Government please state the precise date when they will give the answer?

Mr. Khwaja NASARULLA: It is very difficult to give an exact date, but I think within a day or two you will get it. As soon as I get the answer you will get it.

Mr. NIHARENDU DUTT-MAZUMDAR: I gave notice of a short-notice question yesterday. May I know if consent has been given by the Hon'ble Minister?

Mr. SPEAKER: The question has been sent to the department concerned for the consent of the Hon'ble Minister.

Mr. NIHARENDU DUTT-MAZUMDAR: About when may we expect a reply?

Mr. SPEAKER: That I cannot say.

Mr. NIHARENDU DUTT-MAZUMDAR: It is desirable that that question should come up before the House before the 16th of this month.

Mr. SPEAKER: That has been sent today. It was handed over to me while I was here in this House and then it was examined and it has been sent today to the department concerned for the consent of the Hon'ble Minister.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister please give an answer to that question tomorrow?

Mr. Khwaja NASARULLAH: We have not received the question.

Mr. HEMANTA KUMAR BASU: With regard to the question about the assurance given by the Chief Minister to the demonstrators the other day —on the 24th July last—regarding the release of political prisoners, he told the demonstrators that he would release the political prisoners by the 15th August. Sir, what is the fate of that question?

Mr. SPEAKER: I think it is desirable that members who have got this sort of grievance may come to my chamber and discuss the matters and know at what stage the questions are. That is better.

Mr. BIMAL COMAR GHOSE: Sir, may I draw attention to a matter about contradictory reports in the newspapers about yesterday's proceedings. In regard to a certain expression used by a member in the House, the *Statesman* reports that you ruled that that expression should be expunged.

The Hon'ble Mr. MOHAMMED ALI: Are we responsible for the incorrect recording of the proceedings in the papers?

Mr. BIMAL COMAR GHOSE: On a point of privilege, Sir. I am drawing your attention to the fact that the report appearing in the *Statesman* shows that you ruled that the expression should be expunged whereas in the *Amrita Bazar Patrika* it has been reported that the matter was under your consideration You will remember that yesterday I drew your attention to a discussion in the House of Commons during which a member of the Commons used an expression similar to the one that was used here in reference to another member, and when the matter was brought to the notice of the Chairman who presided, he ruled that it was not unparliamentary but it was desirable that that expression should not be used. May I know what your ruling is as to whether the expression should be expunged from the proceedings or not?

Mr. SPEAKER: "Fifth columnist" is a new expression invented during the last war. It was first used by General Franco. It means secret agent, spy, traitor. There is no doubt that the word "traitor" is an unparliamentary expression. Similarly the word "quisling" is also unparliamentary. The

necessity of using most respectful and courteous language with reference to other members of the House cannot be too strongly stressed. Once there is a slight departure from this rule, there is always the danger of disorder in the House. It is desirable the the Chair should always see that one member is not referred to by another member to which that member can take an exception. In the ruling referred to by the honourable member, Mr. Ghose, regarding the use of an expression "subversive measure" in the House of Commons, it was stated by the Chair that that expression was undesirable but he did not say that it was unparliamentary too. (Mr. Bimal Comar Ghose: Or parliamentary either.) He did not give any decision. He said that he was not in a position to say whether it was parliamentary or unparliamentary, but he was definitely of opinion that that was undesirable. As soon as it was stated by the Chair, the member using that expression withdrew that and regretted. In my opinion the word "fifth columnist" is an unparliamentary word when used in reference to another honourable member of this House.

Mr. BIMAL COMAR GHOSE: May I make one submission, Sir? In the first place the expression "subversive activities" was not expunged. In the second place, if it is your ruling that the expression should be expunged, then certain expressions that were used by other honourable members should also be expunged at the same time, because those words should not have been used either.

Mr. SPEAKER: I shall look into that. I shall see what other words are unparliamentary.

DEMAND FOR GRANTS.

47.—Miscellaneous Departments.

The Hon'ble Mr. SHAMSUDDIN AHMED: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 14,21,000 be granted for expenditure under the head "47—Miscellaneous Departments".

Sir, at the present moment I reserve my comments. Let me hear the honourable members who have tabled cut motions. Thereafter I shall speak.

Mr. SPEAKER: For these cut motions I think that the best procedure would be that all the cut motions should be moved without any speech and after those cut motions are moved, the main demand and the cut motions will be open for discussion. So I hope the members in whose names the cut motions stand will simply move the motions and sit down and then they will have time to speak on their respective motions.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, I beg to move that the demand of Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100. The reason for moving the motion is to raise a discussion about the failure of the Government to take proper steps to get registered trade unions recognised by the employees with a view to facilitate settlement of trade disputes by mutual negotiations without having resort to strikes.

I also beg to move that the demand of Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100. The reason for moving the motion is to raise a discussion about the failure of the Government to make provision for proper housing, minimum wage, pension and permanence of service and other amenities to the jute labourers.

These are the motions which I commend to the acceptance of the House. I shall make my observations hereafter.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that the demand for Rs. 14,21,000 for expenditure under the head "47—Miscellaneous

Departments" be reduced by Rs. 100. The reason for moving the motion is to raise a discussion about the absence of any plan regarding the raising of the standard of living of the labourers of Bengal.

I also beg to move that the demand for Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100. The reason for moving the motion is to raise a discussion about the inability of the Government to raise the income of the labourers of Bengal *pari pasu* with the increase in the cost of living.

I further beg to move that the demand for Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100. The reason for moving the motion is to raise a discussion about the grievances of the labourers of Bengal.

Mr. A. M. A. ZAMAN: Sir, I beg to move that the demand for Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100. The reason for moving the motion is to raise a discussion about the general policy of the Ministry with regard to labour.

Sir, I also beg to move that the demand for Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100. The reason for moving the motion is to raise a discussion about the policy of giving grants-in-aid to labour welfare organisations.

Mr. DEBENDRA NATH SEN: Sir, I beg to move that the demand for Rs 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100 The reason for moving the motion is to raise a discussion about the problem of unemployment amongst the working class.

Sir, I also beg to move that the demand for Rs. 14,21,000 for expenditure under the head "47 Miscellaneous Departments" be reduced by Rs. 100. The reason for moving the motion is to raise a discussion about the inadequacy of housing accommodation and want of provision for supply of drinking water amongst working class.

Mr. DAMBER SINCH CURUNC: Sir, I beg to move that the demand for Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs 100. The reason for moving the motion is to raise a discussion about the tea garden labourers in the districts of Darjeeling and Jalpaiguri.

Mr. NIHARENDU DUTT-MAZUMDAR: Mr. Speaker, Sir, we on this side of the House have an opportunity after a period of over four years to draw the attention of this House and of the country towards the problems of labour. In 1942 when various measures of hardship on the general populace were being inaugurated by the Government, it was pleaded at that time that those were being done with a view to win the war for freedom and democracy, after which the general people would find their conditions improved and much advanced than they had ever been before. But, Sir, today as we look round, we find in amazement that all the hardships to which the labourers were put on false promises are now found to be mere ruse adopted for the purpose of deceiving the labourers in the interests of the imperialist war. Those who were left at large during those days did go about giving the workers promises and too many promises, and promising a better future, but, Sir, those words have not been honoured. Today the workers find themselves after the end of the war—a war which was won through their sweat and toil—without employment, their income reduced and the cost of living gone up. Bengal today is faced with the danger of another famine. It is in this setting, Sir, that this House must give its attention to the problems of labour. I find after so many years, and after so many departments have been set up by Govenment, that the Budget has been transformed beyond recognition. It hardly bears any resemblance to what it was before 1942 or before the war, but one

finds the face of the same old Cinderalla in the administration of the Labour Department. It is lumped together in a section of the Budget termed "Miscellaneous". As if it is hardly any problem as yet to constitute by itself a special subject for the specialized attention of Government. It is lumped up in the "Miscellaneous" items where we are called upon to vote, not exactly to vote but to provide for Rs. 2,01,730 only for the benefit of Labour including the cost of administration of Government's Labour Department. Rs. 30,500 out of Rs. 2 lakhs are already charged. So this House has no say in the matter and only Rs. 2,32,230 are to be voted by this House for the purpose of the Labour Department. Sir, if you will look at the provision made for labour welfare work, you will find that a precious sum of Rs. 50,000 has been set down for the work of labur welfare work in the Province of Bengal. Sir, the labour situation is known to all alike, and I believe, the members are now feeling aggrieved by the fact that labour in their helplessness should flock round the Assembly premises in order to voice their needs. What has this Government under the advice of the present Ministry done? They have provided a precious sum of Rs. 50,000 only for the welfare of the labour work so that this amount may be spent for the actual welfare work among labourers. Now, Sir, a sum of Rs. 45,600 has been provided as a "Voted" item for the pay of officers who are to disburse the sum of Rs. 50,000 for the welfare of labour in the province of Bengal. Apart from this sum of Rs. 45,600 for the pay of officers, another sum, which is not votable, a charged item, has been set down, which is Rs. 24,400 for the pay of a particular officer of Government. I find, Sir, that the number of officers covered by Rs. 45,600 and Rs. 24,400 is 15, and out of that, I believe, one of the officers is the specially favoured God-chosen trustee of labour. He is the Labour Commissioner. To meet his expenses and salary a sum of Rs. 24,400 has been made a "Charged" item. The mortals in this House may provide money by vote, but in its disbursement they shall have no say. It is a preordained and pre-imposed affair. This amount has been set apart and mortals can only look at it and take it for what it is.

In my motion I have raised the question of recognition of registered trade unions. In 1926 the Indian Trade Union Act was passed. Since then, Sir, 20 years have elapsed and the Trade Union Act has remained on the statute book. Hundreds of trade unions have come into existence and been registered under this Act, but hardly a few of them have as yet been recognised by the employers. Although it was the Labour Government in England which took a hand in promulgating the Indian Trade Union Act in 1926, in the course of the last 20 years we find not a single instance of registered trade unions being recognised by the industrialists, particularly the jute industrial zemindars of Bengal, who own over 93 jute mills over the river Hooghly with a number of multiple establishments. These jute mill bosses in our country have been most averse to give recognition to these trade unions. Even letters written by Trade Union leaders are not answered. It matters very little whether those trade unions are run by Congress men or Muslim Leaguers or even by men whom I need not characterize, but who have helped Government in the name of the people and befriended them during those dark days, and led the workers into a morass and actually caused betrayal of both labour and the nation in this country. I wish to know from the Minister in charge of Labour what policy or definite proposals he has with regard to the question of securing recognition of registered trade unions. The registered trade unions are at one and the same time a machinery for the advancement of labour interest and labour control. They are a machinery for industrial peace and for the exercise of control among labourers and they are the best repository of the collective wisdom of the labour movement. Wherever a trade union does not exist, sporadic and lightning strikes take place, as they are bound to take place. Wherever there is unorganised labour movement you will find the situation growing far worse.

Now, Sir, I have raised the question of wage, pension, the question of permanence of service and the question of housing and other amenities to the

jute labourers. The jute mill industry has made huge profits and they have done nothing to provide amenities to their workers. Our friends opposite to-day are of the opinion that the zemindari system should be abolished. These zemindaris raise 17 crores of rupees out of which they pay 3 crores as Government revenue and utilize 14 crores for themselves and for their middling intermediaries and tenure-holders. How much more the jute mill zemindars are making out of the blood and bones of the jute mill workers and jute growers of Bengal? Jute, Sir, is the money crop on which the welfare and happiness of the people of Bengal depend. I suggest that there should be an immediate enquiry made into the big and enormus profits taken by the jute bosses in this province. I further suggest that the jute industry should be nationalised. Their profits should be impounded and provision made for wages, pension, permanence of service and other amenities.

I would conclude by quoting one sentence which was uttered many years ago by an English investigator into labour conditions in this country. As was then said, our workers remain to-day "half-fed, ill-clad and horribly housed" to the eternal shame of the British Empire which to our shame found people in this country eager to safely perpetuate these conditions.

Dr. SURESH CHANDRA BANERJI : মাননীয় Speaker মহোদয়, শ্রমিকদের দুঃখ কষ্টের অন্ত নেই, অথচ আমরা মাত্র দশ মিনিট বলতে পারবো। এই দশ মিনিটের মধ্যে শ্রমিকদের সব দুঃখ কষ্ট বলা অসম্ভব। সুখের বিষয় বর্ত্তমানে যিনি শ্রম-সচিব আছেন তিনি আমাদের একজন পুরাতন বন্ধু। তিনি বহুদিন শ্রমিকদের সংগঠনের কাজ করেছেন, শ্রমিকদের অভাব অভিযোগ কি তা তিনি ভালভাবে জানেন। আশা করি যেসব দাবী-দাওয়া সম্বন্ধে অতি সংক্ষেপে আমি মন্ত্রী মহোদয়কে বলবো তিনি সে সম্বন্ধে যথাসম্ভব কিছু করতে চেষ্টা করবেন। আমি জানি মন্ত্রী মহোদয়দের ক্ষমতা সঙ্কীর্ণ, Provincial Autonomy তে যে ক্ষমতা পাওয়া গিয়েছে তাতে সব কিছু করা যায় না। আমি এও জানি Congress প্রদেশী মন্ত্রীরা অনেক কিছু করেছেন, আমাদের বাংলার মন্ত্রীরা ততটা করতে পারেন নি। আশা করি বর্ত্তমান মন্ত্রী মহোদয় Congress প্রদেশের মন্ত্রী মহোদয়দের অনুসরণ করে শ্রমিকদের জন্য খানিকটা কিছু করবেন।

প্রথম কথা হলো এই যে শ্রমিকদের জন্য বিশেষ কোন department নেই। আজ আমার পূর্ব্ববর্ত্তী বক্তা নীহারেন্দু দত্ত মজুমদার মহাশয় একথা উল্লেখ করেছেন। এর আগে আমরা বহুবার একথা বলেছি যে শ্রমিক সমস্যা বর্ত্তমান বিরাট সমস্যা, বর্ত্তমান যুগে শ্রমিক problem শ্রমিক সমস্যা সবচেয়ে বড় সমস্যা অথচ এই প্রদেশে এই ডিপার্টমেণ্টকে অন্তর্ভুক্ত করা হয়েছে miscellaneous department এর মধ্যে। এর কোন মানে হয় না। এ সম্বন্ধে বহুবার নিবেদন আমরা Government এর নিকট করেছি কিন্তু প্রতিকার হয়নি। আশা করি বর্ত্তমান মন্ত্রী মহোদয়ের আমলে হবে।

তারপরে শ্রমিকদের বিশেষ অভাব অভিযোগ হচ্ছে যে তারা বেশী মাইনে চায়। বর্ত্তমানে শ্রমিকরা যে মাইনে পায় তাতে তাদের পেট চলে না। যুদ্ধের আগে যে মাইনে পেত অধিকাংশ শ্রমিকরা এখনও সেই মাইনে পায়। কিছু কিছু মাগ্‌গি ভাতা দেওয়া হয় বটে কিন্তু তাতে শ্রমিকদের পেট ভরে না। সভ্যদের সকলেই জানেন যে এই কয় বৎসর যুদ্ধের ফলে জীবনযাত্রা নির্ব্বাহের খরচ প্রায় তিন চার গুণ বেড়ে গিয়েছে। আগে যেখানে একজনের হয়ত পাঁচ টাকায় চলতো এখন সেখানে ১৫ কিম্বা ২০ টাকায়ও চলতে চায় না। আগে যেখানে এক শ্রমিক পরিবারের হয়ত ২০।৩০৲ টাকায় চলতো এখন সেই শ্রমিক পরিবারের জন্য মাসে অন্ততঃ ৭০।৮০৲ টাকা দরকার। তাই বর্ত্তমান অবস্থায় আমাদের শ্রমিকদের মাইনে সম্বন্ধে সর্ব্বনিম্ন দাবী এই যে মাসে শ্রমিকদের মাইনে অন্ততঃ ৫০৲ টাকা হওয়া উচিৎ। সাথে সাথে কমপক্ষে মাসিক বিশ টাকা মাগ্‌গি ভাতা দেওয়া চাই। ৫০ আর ২০ মিলে ৭০৲ টাকা হয়, ইহা পেলে শ্রমিকদের পক্ষে কোন প্রকারে বেঁচে থাকা সম্ভব হয়। এর কমে তাদের পক্ষে চলা অসম্ভব।

তারপরে দ্বিতীয় কথা হচ্ছে, ছাঁটাই বন্ধ হওয়া চাই। সভ্যরা সকলেই জানেন আজকাল কি ব্যাপকভাবে ছাঁটাই হচ্ছে। যুদ্ধের সময় লক্ষ লক্ষ শ্রমিককে বিভিন্ন কারখানায় বিভিন্ন কাজে নিযুক্ত করা হয়েছিল। যুদ্ধ শেষ হয়ে গিয়েছে, তাদের আর কোন প্রয়োজন নেই, তাই তাদের ছাঁটিয়ে ফেলে দেওয়া হচ্ছে। অথচ আমরা জানি এই সব শ্রমিকরা যুদ্ধের সময় নানা নিপুণ কাজ শিখেছে। যদি তাদের এখন নূতন নূতন কারখানা খুলে সেই সব কাজে লাগানো যায়, দেশের অনেক উপকার হতে পারে। এবং সে সম্বন্ধে কিছু করাও সম্ভব

ছিল, কারণ এবার ভারত Governmentএর কাছ থেকে আমরা দশ কোটি টাকা পাচ্ছি। সেই দশ কোটি টাকা দালান প্রভৃতি করে বাজে খরচ যদি না করা হতো যদি জাতি সংগঠনে খরচ করা হতো, কারখানা করে খরচ করা হতো, তবে যে সব শ্রমিকদের ছাঁটাই করা হচ্চে সেই সব শ্রমিকদের ছাঁটাই করার কোন প্রয়োজন পড়ত না। এ সম্বন্ধে আমি দুই একটা কথা শ্রমিক-মন্ত্রী মহোদয়ের নিকট বিশেষভাবে বলতে চাই। প্রথমটি হচ্ছে—Mathematical Instruments আফিস সম্বন্ধে। এই অফিসটি ২নং Wood St.এ অবস্থিত। এতে যুদ্ধের সময় কাজ করতো প্রায় ১০ হাজার লোক। এখন সেখানে আছে ২ হাজার। এই আফিসে ভাল ভাল যন্ত্র তৈরী হয়, এখানে telescope তৈরী হতে পারে, এখানে ভাল lens তৈরী হয়, এখানে balance তৈরী হতে পারে, এবং এই সব জিনিষের শুধু ভারতবর্ষে নয় পৃথিবী ব্যাপী চাহিদা আছে। খুব ভাল জিনিষ এখানকার শ্রমিকেরা তৈরী করতে পারে; অথচ বিলাত থেকে জিনিষ আমদানী করবার জন্য এখানকার লোকদের আস্তে আস্তে ছাঁটাই করা হচ্চে। যেখানে আগে ছিল দশ হাজার লোক এখন সেখানে মাত্র ২ হাজার। এখানে ভাল যন্ত্রপাতি আছে, কোন অসুবিধা নেই। শুধু British Government তাদের নিজেদের দেশের স্বার্থসিদ্ধির জন্য এইভাবে ছাঁটাই করছে। আমি জানি এটা কেন্দ্রীয় Governmentএর অধীন; তবুও আমি শ্রমিক-মন্ত্রী মহোদয়কে বিশেষভাবে অনুরোধ করছি তিনি যেন এ সম্বন্ধে কিছু করেন। যুদ্ধের সময় এখানকার শ্রমিকদের তৈরী জিনিষে সব কাজ চলেছে; কিন্তু যুদ্ধ শেষ হয়ে যাওয়ায় বিদেশ থেকে এদেশে মাল পাঠানো প্রয়োজন হয়েছে—তাই ছাঁটাইর এই policy. আলিপুরের Indian Telegraph Officeএর লোকদেরও এভাবে ছাঁটাই করা হচ্ছে। তারপর Gun-Shell Factory—এই কারখানাটি কাশীপুরে অবস্থিত, এখানে দশ হাজার লোক কাজ করতো; এই কয় মাসে ছাঁটাই এত ব্যাপকভাবে করা হয়েছে যে এখন সেখানে মাত্র ২ হাজার লোক কাজ করে। এই ধরণের আরো অনেক দৃষ্টান্ত দিতে পারি; শ্রমিক-মন্ত্রী মহোদয়ও জানেন। এই সব ছাঁটাই যাতে বন্ধ হয় সেজন্য মন্ত্রী মহোদয় বিশেষভাবে চেষ্টা করুন। ইচ্ছা করলে এদের দিয়ে নানা কাজ করানো যেতো, স্বাধীন দেশে সেইরূপ করা হচ্চে, ইংলণ্ডে সেইরূপ করা হচ্চে। যুদ্ধোত্তর পরিকল্পনায় এই ধরণের লোকদেরই কাজে লাগানো হচ্চে। কিন্তু আমাদের দেশে সে ধরণের কোন চেষ্টা নাই। তাই পুনরায় মন্ত্রী মহোদয়কে বলছি তিনি যেন এ বিষয়ে বিশেষ চেষ্টা করেন। এই দুর্ভিক্ষের বাজারে ছাঁটাই লোকদের পক্ষে জীবনযাত্রা নির্বাহ যে কি কষ্টকর মন্ত্রী মহোদয় তা সহজেই বুঝতে পারবেন।

শ্রমিকদের চতুর্থ দাবী হচ্চে সাপ্তাহিক কাজের ঘণ্টা সম্বন্ধে। কিছুদিন আগে প্রবর্তিত factory আইনে, কারখানা কানুনে শ্রমিকদের জন্য সপ্তাহে ৪৮ ঘণ্টার কাজের ব্যবস্থা করা হয়েছে। ৪৮ ঘণ্টা কাজের দাবীই গত কয়েক বৎসর ধরে আমরা করে আসছি। কিন্তু এখন দেখা যাচ্ছে, ৪৮ ঘণ্টার কাজে সুবিধা হয় না। এই আইনে বলা হয়েছে শ্রমিকদের সপ্তাহে ৪৮ ঘণ্টা কাজ করতে হবে, কিন্তু কোন দিন নয় ঘণ্টার বেশী কাজ করতে পারবে না। ফলে এখন তাদের সোম হইতে শুক্র এই পাঁচ দিন ৯×৫ এই ৪৫ ঘণ্টা খাটিয়ে শনিবারেও তিন ঘণ্টা খাটানো হয়। যদি তাদের সপ্তাহে শুধু ৪৫ ঘণ্টা খাটতে হোতো তবে তারা শনি ও রবিবার ছুটি পেতে পারতো। তাহলে এই গরীব শ্রমিকরা বাড়ী গিয়ে হয়ত অন্য কাজ করে নূতন আয়ের ব্যবস্থা করতে পারতো, তাতে তাদের জীবনযাত্রার সাহায্য হ'তো। তাই মন্ত্রী মহোদয়কে বলছি তিনি যেন এই ধরণের ব্যবস্থার বিশেষ চেষ্টা করেন।

তারপরে ছুটির বিষয় আমি কিছু বলতে চাই। এখন কারখানার শ্রমিকরা বেতনের সহিত মাত্র দশ দিন ছুটি পেতে পারে। আপনারা জানেন যে এক বৎসর হাড়ভাঙ্গা খাটুনি খেটে দশ দিন কিছু নয়। অন্যান্য যায়গায় সওদাগরী আফিসেও এক মাস ছুটি পায়, কিন্তু কারখানার শ্রমিকরা এক বৎসর পরিশ্রম করে মাত্র দশদিন ছুটি পায়, এর চেয়ে বেশী দুঃখের কথা কিছু হতে পারে না। তাদেরও অন্ততঃ বৎসরে এক মাস সবেতন ছুটি পাওয়া দরকার। তা ছাড়া অসুখ-বিসুখ এবং বাড়ীর বিবিধ ঠেকার জন্য তাদের casual leaveএরও ব্যবস্থার দরকার। তারপরে চিকিৎসার সুব্যবস্থা থাকা উচিৎ। এখন কোন কোন কারখানায় dispensary আছে, তাও সব জায়গায় নেই। হাসপাতালের খুব কম জায়গায়ই ব্যবস্থা আছে। এই যে বড় বড় চটকল সে সবের অধিকাংশেই হাসপাতালের ব্যবস্থা নেই; সে সব জায়গায় যাতে হাসপাতালের ব্যবস্থা হয়, Maternity homeএর ব্যবস্থা হয় সে দিকে শ্রমিক-মন্ত্রী মহোদয়ের বিশেষ লক্ষ্য রাখা দরকার।

শ্রমিকদের সপ্তম দাবী চাকরী যেন পাকা হয়। এখন শ্রমিকদের কথায় কথায় জবাব দেওয়া হয়, সে অবস্থা যেন আর না থাকে। অষ্টম দাবী Provident Fund সম্বন্ধে. Provident Fundএর ব্যবস্থা প্রতি কারখানায় হওয়া উচিত।

নবম দাবী হাওয়া বাতাস খেলে থাকার এমন ঘরের ব্যবস্থা চাই। দশম দাবী শ্রমিকদের যে ঋণ আছে তা মকুব হওয়া উচিৎ, অর্থাৎ Governmentএর তা পরিশোধ করে দেওয়া উচিৎ। একাদশ দাবী, শ্রমিকদের আটা ও চালের এখন পরিমাণ কমিয়ে সাড়ে তিন সের করা হয়েছে। তাতে তাদের স্বাস্থ্য ক্রমশ: ভেঙ্গে পড়ছে, এমন কি কারখানার কাজ চালানো পর্যন্ত কঠিন হয়ে পড়ছে। ১২নং দাবী শ্রমিকদের rationএর যে চাল আটা প্রভৃতি দেওয়া হয় তা অনেক সময় ভাল থাকে না, পচা হয়, কাঁকড়ে ভরা থাকে। ১৩নং দাবী পুলিশ জুলুম বন্ধ হওয়া চাই। হরতাল হলে দেখা যায় যে পুলিশেরা মালিকদের পক্ষে গিয়ে শ্রমিকদের উপর অত্যাচার চালায়। এই যে Imperial Bankএর শ্রমিকরা আজ এখানে এসেছিল তাদের উপর আজ অত্যাচার করা হয়েছে, ফলে বিশটি পুরুষ ও মেয়ে আহত হয়েছে। লিলি বিস্কিট কারখানায় যে হরতাল চলছে সেখানেও মালিকদের টাকা নিয়ে পুলিশেরা শ্রমিকদের উপর অত্যাচার চালিয়েছে। কিছুদিন আগে থেকে Garden Reach workshopএ যে হরতাল চলছে সেখানে শ্রমিকদের উপর পুলিশ gas পর্যন্ত ছেড়েছে। তারপরে কলিকাতার বিভিন্ন রাস্তায় bus driversদের উপর যে কত অত্যাচার চলে তা কি বলবো।

এই সব ব্যবস্থা মন্ত্রী মহোদয় যদি করেন তবে শ্রমিকেরা বাধিত হবে।

Mr. A. M. A. ZAMAN: মাননীয় সভাপতি মহাশয়, আজকে শ্রমিকদের সম্বন্ধে বলবার অনেক কিছু আছে, কিন্তু বলবার সময় কম। আর বলবার জায়গাও নেই। আমার বিরোধী দলের যারা তাদের দুটো ফাঁক হয়ে গিয়েছে আজ কিছু বললেই বলবে Section 93র আমলে ছিল বলেই এই রকম অবস্থা হয়েছে, বা পূর্বে যাঁরা Minister ছিলেন তারা করে গিয়েছেন, আমরা কি করবো। তখন দুর্ভিক্ষ হয়েছিল হক সাহেবের জন্য, এবার দুর্ভিক্ষ হলো Section 93র জন্য, আর ওনারা একেবারে সাধু সন্ন্যাসী। কাজেই এই যে অত্যাচার এর কথা বলতে গেলে ওঁরা ঐ কথাই বলবেন। আমি বলতে চাই এই যে বর্তমান Government চলছে এই Government এর আমলে আজকে আমরা কি দেখছি? আজ শ্রমিকদের উপর এই যে অন্যায় অবিচার চলছে এর প্রতিকার কি? বেচারী শ্রমিকদের ঘণ্টার পর ঘণ্টা খাটিয়ে যুদ্ধের সময় যে লোভ দেখানো হয়েছিল যে যুদ্ধের পরে তোমরা অনেক কিছু পাবে, যে সব party help করেছিল আজকেও সেই সব party জীবিত আছে এবং সেই সব partyর মধ্যে Communistও ছিল যারা বলতো যে যুদ্ধের পরে তোমরা অনেক কিছু পাবে, আজকে সেই party দিয়ে যে Government propaganda চালিয়েছিল সেই Governmentকে আমি জিজ্ঞাসা করতে পারি যে তোমরা সেই propagandaর দরুণ labourersদের কি দিয়েছ। আজকে দেখা যাচ্ছে যে প্রায় এক লক্ষ সুতা কলের মজুর, কাপড় কলের মজুর বেকার হয়ে যাচ্ছে; চটকলের প্রায় ৩০,০০০ মজুর ও বেকার হয়ে যাচ্ছে। যে দাবী আমাদের ছিল যে চল্লিশ টাকার কম কোন মজুরের মজুরী হবে না সে যুদ্ধের বহুদিন আগে, আজ পর্যন্ত সেই ৪০৲ টাকা পর্যন্ত পাওয়া যায়নি। যেখানে আজকে দরকার ছিল যে কম পক্ষে ৮০৲ টাকার কম কোন মাইনে হবে না সে জায়গায় ৪০৲ টাকা পর্যন্ত হয়নি। শুধু jute সম্বন্ধেই বলতে চাই, দেখতে পাই যে বাংলা দেশে ভারতের মধ্যে যে কতকগুলি business আছে তার শ্রেষ্ঠ হোলো Jute Mill এবং তার কোটি কোটি টাকা ব্যাঙ্কে পড়ে আছে। এবং আমি দেখেছি ১৯৩৮ সালে তখন বিলাত থেকে যে সমস্ত চিঠিপত্র এসেছিল কলকাতার Share-holdersদের কাছে, তারা যে কত লাভ পাচ্ছে তার কোন হিসাব নেই। কিন্তু শ্রমিকদের যে ১৮৲ টাকা মাইনে সে কথা অনেকে জানে না। কাজেই এখানে আপনাদের জানালাম সে সম্বন্ধে। আশ্চর্য যে আজকেও সেই যুদ্ধের বাজারের দরেও তাই রয়ে গিয়েছে, তা থেকে বাড়ছে না। আর এই যে Ministry বারবার টাকা নিয়ে যাচ্ছে, Governmentএর সমস্ত কিছু করে যাচ্ছে, কেন labourersদের পক্ষে একটুও কিছু করছে না? তারা যদি strike করে তখনি ওটা illegal declare করা হয়, না হয় পুলিশের ডাণ্ডা চালিয়ে ভঙ্গ করবার চেষ্টা করা হয়; না হয় আমরা যারা আছি আমাদের উপর ১৪৪ ধারা জারি করবার চেষ্টা করা হয়। এই করে চলে যাচ্ছে।

তারপরে labour welfare নামে কতকগুলি টাকা থাকে। সেই টাকাটা যায় কোথায়? ওটা শ্রমিকদের বলে তাদের টাকা যায় সেই Ministryর বিশেষ করে সচিব সুরাওয়ার্দী যেখানে আছেন Minister, সেই ওনার পেটোয়া কয়েকজন লোকের হাতে। আমি নাম করে বলতে পারি। হুগলীতে আছে জনা চার, কলকাতায় জনা ছয়, আর বাইরেও জন আটেক আছে। এখানে ওখানে ঘোরে ফেরে এই রকম কয়েকজন লোকের পেটে সেই টাকা যায়; কেবল তারা মাসে কয়েকবার motor চড়ে বেড়ায়। এই রকম করে তারা labour welfare করে বেড়াচ্ছে। তার এক পয়সাও শ্রমিকদের লাভ হয় না। আর একটা জায়গায় সমীরণী আশ্রম আছে, সেখানে যায় কয়েক হাজার টাকা। সেখানে জমি কেনা হয়েছে, জমি কিনে সেখানে আশ্রম করা হয়েছে। সেখানে নাচ, গান, বাজনা হয়, এবং অন্যান্য কাজ হয়। শ্রমিকদের সেখানে welfareএর নামে নাচ আর গান বাজনাতে চলে যাচ্ছে।

আর একটি Committee করা হয়েছে, jute এবং অন্যান্য labourersদের জন্য সেখানে রয়েছে। যারা আজকে সমস্ত ভারতবর্ষকে দেখিয়ে দিয়েছে তাদের শক্তি, যারা Communist Party থেকে আরম্ভ করে যত রকমের চোরাযি party ছিল, সমস্ত partyকে এক voteএ নয়, হাজার হাজার voteএ defeat দিয়ে এসেছে, এবং আমরা ও যারা ছিলাম তারা সেই committeeতে নেই। সেখানে রয়েছে শুধু বাজে লোক, যাদের কোন organisation নেই। আমি এখানে দাঁড়িয়ে তাদের যে কোন জায়গায় challenge দিতে পারি, যে বাংলার যে কোন জায়গা থেকে; (A VOICE: নারায়ণগঞ্জে) নারায়ণগঞ্জে কি হয়েছে? (VOICE: তৈরী আছেন কি?) আছি।" যাবেন কোন mailএ? নারায়ণগঞ্জ কেন আপনার বাড়ীতেও যদি mill থাকে সেখানেও যেতে প্রস্তুত আছি। (Loud noise and uproar) আমি বলতে চাই যে অন্যের organisation থেকে আসুন বেরিয়ে, অন্যের নাম নেবেন না, আসুন সামনে দাঁড়িয়ে। কাজেই আজকে যে সব Committee করা হয়েছে, তাতে যে সব লোকের কোন organisation নেই, যারা কোন জায়গা থেকে দাঁড়াতে পারে না তাদের নিয়ে Committee করা হয়েছে। অথচ যারা পূর্ব থেকে কেউ বিশ বাইশ আঠারো বৎসর Trade Union Movement করে এসেছেন তাঁদের মধ্যে একজনও সেই Committeeতে নেই। (Cries of "shame, shame" from the Opposition) আর একটি বিষয় বলবো। এখানে Labour Commissioner আছেন। তাঁর আপিসে গিয়ে মনে হয় যে এক বিরাট ব্যাপার। কিন্তু কোন কিছু বললে বলে আমার কথা তো কোম্পানী মানে না। এবং যদি ঐ enquiryতে যায় তো manager সাহেবের সঙ্গে দেখা করে ফিরে আসেন এবং labourers দের কোন grievance আমরা যদি বলি সেগুলি শোনবার জন্যও চেষ্টা করে না। (Cries of "shame, shame" from the Opposition) কাজেই আমি বলতে চাই এখানে যে সত্যিকারের যদি কিছু করতে চান ত করুন। না করলে এমন দিন আসবে শীঘ্রই, বেশী দিন দেরী নয়, শুধু নারায়ণগঞ্জে নয়, সমস্ত বাংলায়, সমস্ত ভারতবর্ষে যে এই সব যারা ধোকা বাজ, যারা এখানে বসে বসে ধোকা দেবে শ্রমিকদের তাদেরকে ঘাড় ধরে নামাবে, বলবে "চলে যাও এখান থেকে তোমরা কাপুরুষ, তোমরা এ দেশের বেইমান।" শ্রমিকদের যে মাইনে তাদের যে Pension তাদের Provident Fund, তাদের অন্যান্য যে সমস্ত দাবী তা দেবার ব্যবস্থা করুন, যদি আপনারা বাঁচতে চান, আর না হলে আপনারা অতি শীঘ্র রসাতলে যাবেন, বাংলা পাকিস্থান তো পাকিস্থান, গোরস্থানে হয়ত পরিণত হবে।

Mr. DEBENDRA NATH SEN: Mr Speaker, Sir, in the first of my cut motions I have tried to raise the issue of unemployment and draw the attention of the House to that. Sir, with the termination of hostilities resulting in the closing down of many of the war industries and shrinkage in the volume of production of many others which are still existing, this problem of unemployment has assumed a very acute character and unprecedented magnitude. I already had the occasion to inform this House that in a small area of Cossipore only about 10,000 workers have been dismissed within a very short span of six months. Another honourable member of this House, Dr. Suresh Chandra Banerjee, has already brought to your notice how in the Budge Budge area alone about 30,000 workers, including 12,000 women workers, are being thrown into the dreary desert of unemployment because of govermental policy.

I am aware, Sir, that unemployment is inherent because of the arrangement that exists in the capitalistic system of production, but just at the present moment, just at the present period, the Government, both Provincial and Central, have got a responsibility, special responsibility in the matter of accentuation of this problem of unemployment. I venture to hold that because of the short-sighted, wrong, narrow policy of Government both provincial and central pursued during the war—a policy that was actuated in the interest of British Imperialism—this unemployment problem today has assumed the magnitude that it has done. Therefore this Government has a special responsibility and a special duty to eradicate the evil from the social body politic. I am aware, Sir, as you also know that other countries in the world which are also of a capitalist complexion are trying to tackle this problem of unemployment in their own way—and I may inform this House—in a more successful way than what is being done here. The other day I was reading in the "Statesman" of Sunday that the Labour Ministry in England has suceeded in transferring more than 35 lakhs of workers from the

services into industries. I may also draw the attention of the Labour Minister here to the National Insurance Bill which has been passed by the Parliament —a Bill which covers the life of a worker from his very birth till his material shape dissolves—a Bill which covers the life of a labourer not only when he is employed but also when he is unemployed. I am also aware of the past statement made by the Hon'ble Finance Minister the other day. He has stated in his statement that we are for the first time going to bend our energies to the supremely important task of raising the economic standard and increasing the general well-being of the people. Sir, I consider this statement to be mere words and words signifying nothing, because in the whole budget estimate no provision whatsoever has been made for the development or uplift of the interests of the working classes. Out of 52 crores of rupees going to be spent for this Province of Bengal barely a lakh of rupees has been set apart for the development programme in connection with the Labour Department. I am also aware that there has been outlined a development programme in connection with the Labour Department in the budget estimate. I say it is a farce and a fraud. It is a farce because it shows utter lack of realisation of the problem that is before us. I say it is not only a farce and a fraud but it is dangerous too for I find in the development programme mention of an item as development of trade-unionism on a sound basis. Our experience of the past, our experiences of the reign of this League Ministry during the years 1937 and 1938 tell us what this attempt to put trade unionism on a sound basis may be. For, on that occasion, we saw rival labour unions started almost in every labour area. We saw then that the Criminal Procedure Code was brought against labour just to harass them, just to terrorise them to abandon their existing unions and join the unions started under the inspiration of the then Labour Minister Mr H S Suhrawardy. We know also, Sir, and I can inform this House of the strange fact which occurred during this week, namely, that the Calcutta Electric Supply Corporation has refused to employ some men on the ground that they do not belong to a union which owes its allegiance to the Hon'ble Minister Mr Suhrawardy. (Mr Nishitha Nath Kundu: Shame, shame.) That being so, we are afraid when such a Ministry tells us that they are going to put trade unionism on a sound basis. Closely following this programme is one of establishment of a Labour Advisory Board. That also raises apprehensions in our minds, because such boards will be formed with persons who play a reactionary role in the working class movement in Bengal.

Mr. DAMBER SINGH GURUNG: Mr Speaker, Sir, the labour problem in the district of Darjeeling specially in Tea Gardens is very acute. There are more than 100 tea gardens in the district. Almost half the population of the district live in these tea gardens. More than 95 per cent. of these coolies are hill tribes, the Nepalese, the Bhutias and the Lepchas. It is these people who cleared the dense forest and made the tea gardens so flourishing. The proprietors and share-holders, who are mostly in England, of these gardens have made fortune out of these gardens and went on buying new gardens and reclaiming new lands for tea cultivation with the profit of these gardens. But what is the condition of those who are working day and night to make these people millionaries. Their condition is so wretched that one cannot even imagine that people can live in such a condition for generations. Though these people are living in these gardens for generations, they have no property at all, no house of their own, no land, no moveable property, what to speak of moveable property, they have not got even enough utensils for cooking their food—not enough clothing for covering themselves at night and not even enough to eat. They have been kept in such a condition and they are forced to lead such a life as there are no other places where they can go and settle.

The members of this House will be surprised to hear of their wages. What do they get—male coolies 5 annas and female coolies 4 annas per day in these days and they got this rate even during those days when rice

was selling at one and a half seer per rupee, i.e., during the war period. How can a man live with 5 annas a day, i.e., Rs. 1-4 to Rs. 1-14 per week as sometimes only four days work is given. The only concession given is that the gardens supply rice at the rate of five seers per rupee and some gardens give only four seers per rupee. What difference does it make—just seven annas more a week because the Government controlled rate of rice is 3 seers per rupee. There is no other concession except the cooly sheds which are most unhygienic. There is no question of bonus for those who labour so hard to produce the tea. The managers get thousands of rupees as their pay and get more than double their pay of the whole year as bonus but the coolies are left half-fed.

Twice I sent the resolution to the Assembly regarding the wages of these people and in 1944 Budget session I spoke depicting the deplorable condition of these coolies. After that the Government decided to enquire into the condition of these coolies. Accordingly there was an advertisement by the Public Service Commission calling for applications from hillmen for the post of two labour supervisors. Many of our qualified boys applied. Only one was taken but he was not allowed to enter the tea gardens and enquire. He was deputed to enquire into the condition of those coolies working outside the tea gardens. Another post was not filled up but one of the labour officers from Calcutta once went to Darjeeling to enquire into the conditions of the tea garden coolies. What did he do? One fine morning he went direct to the Manager of one of the gardens, took tea with him, had a nice chat and came back. He did not meet even a single cooly. The manager of that garden told the coolies on the previous day of this officer's visit that the Civil Surgeon was visiting the garden next day and so they were to keep their sheds neat and tidy. And what was the report of this officer? He said that the coolies were getting more than enough; if they are paid more than what they are getting they will gamble, drink liquor and create *golmal*.

(At this stage the red light was lit.)

Mr. SPEAKER: Mr. Gurung, please sit down.

Mr. DAMBER SINGH GURUNG: I was given to understand that I would be given ten minutes to speak

Mr. SPEAKER: No.

Mr. DAMBER SINGH GURUNG: While all the other labour members were given ten minutes, I do not see why I should be given five minutes only.

Mr. SPEAKER: Because you are reading from a written speech. All right I give you one minute more. Please hurry up.

Mr. DAMBER SINGH GURUNG: Darjeeling is a planters' *raj*. Deputy Commissioner is nothing. They went so far that they did not allow even the Government to enquire into the condition of their coolies. They have got so much influence even on Government that they upset Government plans, and did not allow to appoint a hillman supervisor to enquire into the condition of their coolies for which it was advertised. They are the monarch there. They turn the coolies out of the garden on twenty-four hours notice even on flimsy grounds, sometimes if the coolies refuse to send their beautiful daughters to their bungalows to work. I am afraid this state of affairs will continue as long as this brute weightage given to the Europeans in this Assembly continues and this sort of Government dependant on their votes continue.

One labour officer was posted at Darjeeling as a consequence of the direct action taken by the coolies of the Government Cinchona plantation, Mangpoo, when four officers were almost beaten to death for refusing to give ration

sanctioned by Government. Unfortunately that labour officer happened to be my brother. I say unfortunately because I could not do anything to agitate the coolies against the manager for redressing their grievances. But Government thought it otherwise; at the instigation of the planters asked my brother to go back to his old job in the Co-operative Department. I am glad to say that he resigned from the Government service and now he has taken up the cause of the labourers and is in charge of the labour front opened by the Gurkha League.

(The member having reached his time limit resumed his seat.)

Mr. SIBNATH BANERJEE: Sir, at the very outset I shall make my emphatic protest against the lathi charge and rough treatment meted out to the strikers of the Imperial Bank and the Calcutta Electric Manufacturing workers. It is very regrettable and if the Hon'ble Minister would like to go and see for himself——

Mr. SPEAKER: Mr Banerjee, I think you should speak on the motion before the House.

Mr. SIBNATH BANERJEE: Sir, the writing on the wall is very clear and the Hon'ble Minister should take the warning. I am supporting the cut motion but I am asking for more money. I protest against the inadequacy of the staff in the Labour Department. I quite agree with my friend, Comrade Zaman, that there has been and is mis-use in some departments, specially in the Labour Welfare Department. My only protest is that this Government has no labour policy worth the name. To have a labour policy, there must be a comprehensive policy to see that labour is employed. It is not only the duty of the Minister in charge of this Department but the whole Cabinet to devise ways and means in order to have an industrial policy by which the surplus population may be given employment. During the War hundreds and thousands of persons were employed and they were forced in working in war industries. But now what do we find? They are now being thrown out of employment. Sir, this subject of unemployment has already been dealt with by my friend, Comrade Sen, and I do not want to go further into details again. Sir, all the railway workers, Ordnance Factory workers, workers in War industries, workers in Burn and Co., workers in Martin & Co., ex-service men and civilian population who were helping the military including the military clerks, all these men come under this category and their number is several millions. Some out of desperation have gone on strike and some have given notice of strike because Government has no policy for them. Had there been some policy and some terms agreed upon during the War, there would be no such trouble to-day, but unfortunately that was not done. Many had suffered untold hardships during the war while serving British Imperialism but what is their fate now? They are also being neglected to-day. We demand of this Government to do some thing for the men who are being thrown out of employment. The minimum that should be done for mitigating the grievances of labourers—which I demanded at the Delhi Labour Conference—is that at least 3 months' pay should be given to them in 6 half-monthly instalments so that these unfortunate workers who are thrown out of employment will find some breathing space, can try to stand on their legs and be able to find some alternative employment. A bold policy is needed for the Post-War development. It is, of course, idle to expect anything of this kind from this Government. Only a Mazdur-Krishak *raj* can embark upon such a policy and solve the question of unemployment. The Trade Union Congress demanded a minimum pay of Rs. 40 and a minimum dearness allowance of Rs. 45, but this Government has grudgingly admitted that only Rs. 20 should be the minimum pay and Rs. 20 dearness allowance. We welcome even this small mercy but we are very sorry to find that this Government is unable to enforce even this in their own departments. Men employed under the Government of Bengal in the various Electrical Divisions, Public Works Department, men employed in this very house in the Electrical section——

(At this stage the red light was lit.)

May I have two minutes more?

Mr. SPEAKER: Yes.

Mr. SIBNATH BANERJEE: Sir, the men employed in this very House, or in the Government House, or in other Government Departments, the peons, the chaprasis are all in the same miserable condition. I do not know why Government is unable to give effect to their own recommendation, namely, rupees twenty as minimum pay and rupees twenty as dearness allowance. Nothing can be more ridiculous than this. Of course, the jute mills never care for any rules or anybody's recommendations. They make huge profits—

Mr. SPEAKER: Your time is up.

Mr. SIBNATH BANERJEE: Sir, may I have two minutes more so that I can finish my point?

Mr. SPEAKER: I cannot give you another two minutes, because I have got other speakers to accommodate. One minute more.

Mr. SIBNATH BANERJEE: Sir, the Labour Commissioners' Department is understaffed. The number of Assistant Labour Commissioners should be doubled and even quadrupled if they are to undertake the task they are called upon to do. They should have some authority. Their recommendations are simply treated with contempt and thrown into the waste-paper basket not only by jute mill owners but even by other small employers of labour. The result is, strike everywhere. There is strike going on in the Martin & Co. The Government of Bengal will do nothing because it is a Central subject; even their recommendation suggesting that Rs. 20 should be minimum wage and Rs. 20 the minimum dear allowance is not being conceded by Martin & Co., and others. Therefore, strike is going on. When we approach the Labour Commissioner and the Hon'ble Minister in charge of the Department, they say that they are helpless, but the people of Bengal are suffering. Why the Government of Bengal should be so helpless I do not know.

As regards registration of trade unions more than 200 applications are pending for several months. There is not sufficient staff so that registration can be done quickly. There is therefore unusual delay in the disposal of such cases.

Mr. SPEAKER: You have surveyed all the departments and enjoyed all the advantages. Please sit down now.

Mr. R. B. WHITEHEAD: Mr. Speaker, Sir, I agree with my honourable friend, Mr. Sibnath Banerjee, in regard to his remarks about the Labour Department. No provision appears to have been made in this year's Budget for the expansion of the offices of either the Inspector of Factories or the Labour Commissioner.

In the Budget debate last year stress was laid on the need for this by representatives of both Labour and employers, while attention was also drawn to it by the Rowlands Committee.

The office of the Inspector of Factories in this province has to deal with the inspection of over 2,000 factories, but it is understood there are only six Inspectors for the purpose. May I ask, Sir, what is the use of passing legislation for the betterment of working conditions in factories if the staff for enforcing it is hopelessly inadequate.

It is true that the Labour Commissioner has now been relieved of the many other duties he had formerly to fulfil, but his office is still understaffed and the number of highpowered officers who are capable of acting as Conciliators is insufficient.

Industrial peace, as has so often been said in this House, is absolutely essential to industrial progress and Bengal has the right to know that this industrial peace is assured to her. But it seems to us, Sir, that the present Government has given no thought to this end, and the Hon'ble Minister has declared no policy.

The many opportunities of Bengal for industrial development are frustrated by the present chaotic conditions produced by the irresponsible use of the strike weapon. Continual dislocation of industry by continual strikes will not only prevent industrial progress but will drive industries away from this province. Labour in Bengal stands to lose everything if this happens—labour who are as much dependent on the progress and prosperity of industry as are employers.

Stress must be laid, Sir, on the need for decisive and speedy settlement of labour disputes, and in all disputes the conciliation stage is the most important. It is absolutely essential that the number of official conciliators in the Labour Commissioner's office should be greatly increased.

If conciliation fails the next stage is adjudication and the machinery for this must be speedy and must be automatic Other provincial Governments and particularly Congress Governments of Bombay and Madras have already announced their intentions with regard to the machinery for adjudication. In Bengal the present machinery will lapse within six weeks when the Defence of India Rules expire but the Hon'ble Minister has not declared his intentions with regard to this most important matter.

We welcomed Pandit Jawaharlal Nehru's statement on the Posts and Telegraphs strike, in which he said "There should never be any need for such strikes in essential services and some automatic method should exist for settling all disputes impartially, swiftly and efficienctly".

I would like, Sir, to draw the attention of the House to an interview given to the Press by the Hon'ble Mr V. V. Giri, the Minister for Labour in the present Government of Madras. Mr. Giri referred to Pandit Jawarharlal Nehru's statement as one setting out the most important focal point towards which all efforts should concentrate.

In commenting on this Mr. Giri went on to say: —"Government need not wait till a dispute has actually occurred, but on the very apprehension of a dispute, their official conciliators should effect a settlement. The conciliators should always be in direct touch with employers and workers organisations and must set themselves to the task of settling differences before they come up to the stage of a dispute. If this fails, the Commissioner of Labour of the province should intervene and effect a settlement, or the Minister of Labour should settle the matter without further prolongation. Whenever this procedure does not secure the expected result Government should lose no time in appointing a Conciliation Board or a Court of Enquiry. The whole procedure should not take more than a few weeks."

Mr. Giri calling on his own experience as a Labour Minister went on to say that he considered two things essential to make this proposition workable:—

"In the first place, workers in industries must have effective organisations, with sanctions behind them, sanctions not to be used capriciously or without extreme provocation, e.g., an unreasoning or unyielding attitude of the employer in conceding reasonable conditions of service.

Secondly, industrialists of this country must realise that workers are the dominant partners in the industry and, having realised this must make every endeavour to make labour understand that workers' interests and employers' interests are identical and therefore they can automatically feel assured of their fundamental rights."

Mr. Giri conceded that workers have an inherent right to strike but he maintianed that that right should only be exercised as a last resort when all other methods at settlement fail. He pleaded strongly for discouragement and discontinuance of lightning strikes and stay-in strikes. Mr. Giri continues—"I have always held, and experience has proved to me the fact that an effective internal settlement of a dispute between the parties themselves is of a more abiding and satisfactory nature than an external one imposed either by the Government, a Board of Conciliation, a Court of Enquiry, an Adjudicator or an Industrial Court. This machinery must, however, be there automatically to deal with disputes, impartially, swiftly and efficiently, as Pandit Jawaharlal Nehru declared."

We appeal, Sir, to the Hon'ble Minister to give the closest consideration to this whole matter, as no doubt, honourable members have seen the report by the Labour Department of the Bombay Government, that the total loss of working hours during the five months immediately following the end of the war was over 500,000 and during the first seven months of 1945 up to but excluding the Post and Telegraph Strike nearly 3 times as much, while during the past 6 months strikes in Textile Mills have resulted in a total loss of 70 crores of yards of cloth thus enhancing the cloth shortage in the country.

We realise that the Hon'ble Minister for Labour has had only a short time to take over his heavy liabilities, but in view of the importance of industrial peace to Bengal he should lose no time in declaring his policy.

Dr. A. M. MALIK: মাননীয় সভাপতি সাহেব, যদিও গণতান্ত্রিক আইন অনুসারে আমাকে Governmentএর সঙ্গে vote দিতে হবে তবুও labour representative হিসাবে বলতে বাধ্য হচ্ছি যে আমাদের oppositionএ যে সমস্ত labor representative বন্ধুরা আছেন তাঁদের সঙ্গে, তাঁদের যে criticism সে বিষয়ে আমি এক মত। ('Hear, hear' from the Opposition.) আমার পূর্ববর্তী বক্তা যা বলে গেলেন সেটা যদি তাঁর অন্তরের কথা হয় তাহলে খুবই আনন্দের বিষয়। কিন্তু দুঃখের বিষয় যে যখনই কোন adjudicator বসানো হয়েছে বা কোন conciliationএর চেষ্টা করা হয়েছে তখনই তার যা পরিণতি হয়েছে, তা আপনারা সকলেই জানেন, তবুও বড় গলায় তাঁরা বলেছেন যে এই সমস্ত চলবে না। সঙ্গে সঙ্গে আমি বলবো যে এমন কোন আইন প্রণয়ন করা উচিৎ যার জন্য adjudicator বা conciliatorএর যখন যা রায় তা দুই পক্ষকেই মেনে নিতে হবে। সারা দুনিয়ায় যুদ্ধ যখন শেষ হোলো, ভারতে প্রকৃত যুদ্ধ তখন আরম্ভ হয়েছে, অর্থাৎ চারিদিকে হাহাকার এবং বেকারের সমস্যা দেখা দিয়েছে। সে সময়ে আমাদের মন্ত্রী মহোদয়গণ তাঁদের তক্তে বসেছেন। আমাদের শ্রমিক মন্ত্রী মহোদয় তক্তে বসার সঙ্গে সঙ্গে দুএকটা labor strike যেভাবে মীমাংসা করেছিলেন, তা দেখে আমরা আশা করেছিলাম যে তাঁকে দিয়ে আমরা ঐ রকম ভাল কাজ বরাবর পেয়ে থাকবো। কিন্তু Budgetএ দেখা গেল তাঁর কোন schemeই নেই। সে বিষয়ে আশাকরি তিনি অতি সত্বর সংশোধন করবেন।

আমার পূর্ববর্তী বক্তারা অন্যান্য বিষয় বলে গিয়েছেন; আমি দুটো point বলেই শেষ করবো। Budgetএ এক লক্ষ টাকা grant করা হয়েছে Employment Exchangeএ। এই Employment Exchangeএর যা কীর্তি সেটা আপনাদের আমি জানাতে চাই। এটা Section 93'র সময়কার বিধান, এবং তখন তাঁরা কি ভাবে করেছিলেন আমরা কেউ জানি না। কিন্তু এটা সত্যি যে এ জিনিষটা সম্পূর্ণ ভাবে আমাদের ফাঁকি দেওয়ার জন্য এবং একটা ধোকাবাজী দেওয়ার জন্য সৃষ্টি করা হয়েছে। বলে দেওয়া হয়েছে যে সারা বাংলায় আপনারা মধ্যবিত্ত class কেরাণী যে যেখানে আছে যারা চাকরী চাচ্ছে তারা যেয়ে এই Employment Exchangeএ নাম লিখিয়ে দাও, তারপরে সেখানে তাদের ব্যবস্থা হবে। সেখানে যেয়ে দেখা যায় lineএর পর line সকাল থেকে সন্ধ্যা পর্য্যন্ত গিয়ে সব দাঁড়িয়ে রয়েছে, যেমন একমুঠো চাল নেওয়ার জন্য ১৯৪৩ সালে যেতো। সারা দিনে তাদের নাম লেখাই দুরূহ ব্যাপার হয়ে পড়ে এবং যদি নাম লেখাও হয় তাহলে কোথায় কবে চাকরী পাবে এটাও সম্পূর্ণ অনিশ্চিত। কোন youngman আমাদের বলবে না যে Employment Exchangeএ আমি চাকরী পেয়েছি। শুধু তাই নয়। Civil Supplies Departmentএর মত এই Employment Exchangeএ ঘুষ দেখা দিয়েছে। শুনতে পাওয়া যায় যদি কোন unemployed লোক, যারা নাম লিখিয়ে আসে তারা যদি ফিরতে ফিরতে চেষ্টা করে ঐ সমস্ত officerদের টাকা না দেয়, তাহলে একেবারে নাম কেটে দেওয়া হয়, অনেকের

কোন ব্যবস্থা করা হয় না। আমি মন্ত্রী মহোদয়কে অনুরোধ করছি তিনি যেন একদিন যেয়ে যেমন আমাদের মন্ত্রী মহোদয় মহম্মদ আলি সাহেব মাঝে মাঝে surprise visit দিয়ে হাসপাতালে একটা terror সৃষ্টি করেছেন আমি শ্রমিক মন্ত্রী মহোদয়কেও অনুরোধ করছি তিনি যেন এই সব জায়গায় একটা surprise visit দিয়ে দেখেন সত্যি কি হচ্ছে এবং এতে সত্যি unemployedদের উপকার হচ্ছে কি না। তারপরে আছে Employment Information Bureau, এতেও যে information পাওয়া যায়--আমি মন্ত্রী মহোদয়কে অনুরোধ করছি তিনি বাড়ীর চাকরকে পাঠিয়ে দিয়ে বেকার সাজিয়ে যেন information নেন যে কিভাবে information এখানে দেওয়া হয় এবং তাতে আমাদের কতটা সাহায্য হচ্ছে।

আর এক জায়গায় আছে Provincial Statistical Bureauকে staffএর জন্য ৭০,০০০্ টাকা দেওয়া হয়েছে এবং Family Budget Investigation Schemeএ ১২,০০০্ টাকা দেওয়া হয়েছে। এই যে Employment Information Bureau এবং Provincial Statistical Bureauএর খাতে আমরা গত কয় বৎসর ধরে টাকা দিয়ে এসেছি কিন্তু দুঃখের বিষয় এখান থেকে যে সমস্ত statistics বেরোয় তা সম্পূর্ণ নির্ভুল নয়, তাতে অনেক ভুল আছে এবং সেই সমস্ত statisticsএ যে সমস্ত index of the wages ধার্য করা হয়, এ পর্যন্ত Government কোথাও তা মানেনি। কাজেই এতে কি হয়, এ রকমভাবে টাকা খরচ করে যে গুলি তারা বেশ নিজ expart opinion বলে, আমাদের dearness allowance বা আমাদের real wages বাড়ানো হউক না হয় তোমাদের এই টাকা খরচ করবার দরকার নেই। Wages সম্বন্ধে আমি বলতে চাই আমার অন্যান্য বন্ধুরা wages এবং dearness সম্বন্ধে যা বলেছেন আমি তার সঙ্গে এক মত নই। কাজেই dearness সম্বন্ধে আর কোন কথা উঠতে পারে না। আমি চাই এই dearnessএর টাকা wagesএর সঙ্গে এক করে দেওয়া। আমরা এটা কল্পনা করতে পারি না যে যুদ্ধের আগেকার মত আবার দেশে জিনিষের মূল্য ফিরে আসবে। কাজেই এখন dearness allowance দেওয়ার মানে হচ্ছে যেমন departmentএ gratuity pension আছে সেগুলি থেকে আমাদের শ্রমিক বা কেরাণীদিগকে ফাঁকি দেওয়া। আমরা চাই dearness allowanceকে উঠিয়ে দিয়ে এটাকে সম্পূর্ণ ভাবে wagesএর সঙ্গে include করে দেওয়া এবং retrospective করে দেওয়া।

তারপরে একটা কথা বলতে চাই registration of trade unions। বর্ত্তমান Governor যিনি Trade unionist তাঁর আসার সঙ্গে সঙ্গে আমরা ভেবেছিলাম দেশে trade unionএর উন্নতি হবে, কিন্তু দেখা যাচ্ছে উন্নতি হয় নাই। আমরা মন্ত্রী মহোদয়কে সবিনয়ে অনুরোধ করছি যে বর্ত্তমানে যে Trade Union Act আছে তাকে পরিবর্ত্তন করা হোক, কারণ দেখা যায় ২০।২৫ জন লোক কিছু দিয়ে একটা কাগজে, সই করলেই সেটা genuine trade union হউক বা না হউক সঙ্গে সঙ্গে registered হয় এবং Government বলে এটা Trade Union organisation। সেই সমস্ত mass trade-union দেশে এত গজিয়েছে যে মন্ত্রী মহোদয় যিনি labor মন্ত্রী ছিলেন, তাঁর সত্যিকারের এখনও যদি দরদ থেকে থাকে তাঁর কাছে অনুরোধ যে যাতে এই সমস্ত ভুয়ো mushroom union না গজাতে পারে, সত্যিকারের trade union যাতে হয় এবং তারা যাতে support পায় সেটা দেখা হোক। আমাদের European সভ্য মহোদয় বলেছেন যে developmentএর জন্য যেমন industrialise করা দরকার laborersদের co-operationও তেমনি দরকার। তার সঙ্গে একথা বলেছেন যে real trade unionএর প্রয়োজনীয়তা আছে, এবং তাদের নিয়েই আমাদের কাজ করে যেতে হবে, কারণ এই যে labor unrest এ কখনও আপনারা থামিয়ে দিতে পারবেন না, শুধু labor নয় Governmentএর প্রত্যেক machineryই অচল হয়ে যাবে যদি এখন থেকে সমস্ত এর একটা পরিকল্পনা গ্রহণ করা না হয়।

Mr. JYOTI BASU: Mr. Speaker——

Mr. SPEAKER: I am sorry I cannot give you time. During Budget Session you know we are very much hard pressed for time and those who want to speak must inform me beforehand so that I may regulate time and give them time to speak. Without previous information to me if any member rises up and wants to speak, I cannot allow that, because I have got to close up and finish this discussion within certain limited time.

Mr. JYOTI BASU: I quite understand that you are pressed for time. As you remember I saw you in your room.

Mr. SPEAKER: You did not mention that you wanted to speak.

Mr. MUDASSIR HOSSAIN: I told you that I wanted to speak.

Mr. JYOTI BASU: I did say I wanted to take part in the debate.

Mr. SPEAKER: So far as I remember you told me only about demonstrators today. Next time you please give me previous intimation so that I may accommodate you.

The Hon'ble Mr. SHAMSUDDIN AHMED: Mr. Speaker, Sir, as regards labour policy of the Government of Bengal, before I speak out anything I would deal with one or two points put forward by two friends of mine. The heading "Miscellaneous" has been objected to. This will be considered and I hope a favourable heading will be given hereafter. I will also try to look into the affair of Exchange to which Dr. Malik has referred. As regards the criticisms that have been levelled against the Labour Department, or for that matter Government as a whole, the statement that I will make just now will cover every aspect of the question.

Mr. Speaker, before I answer to the criticisms levelled against the present Government with regard to its labour policy I can tell this House that the present Government assumed charge of the administration of this province on the 24th of April last, i.e., only three months that we have assumed the reins of office. In this short period of time I had to apply myself to study the labour problems of this province as well as of the other provinces of India. In the beginning I was thinking whether I should declare policy with regard to labour on behalf of the Government, but on mature consideration I thought it to be wiser to have a careful survey of the whole situation.

The problem of labour should deserve not only the sympathy and consideration of any Government but should form part of its active policy. Various speakers have attacked the labour policy of the Government from different angles of vision and from different standpoints; but I would beg of the members of legislature to have patience with the present Ministry and I claim, Sir, that so long as I have the charge of this department in my hands, I would try to look at labour problems not only with sympathy but also as a part of my duty towards my own fellow countrymen. Sir, within a few days after the assumption of office I had to fly to Dacca to bring about a peaceful settlement of the long-drawn strike at the Narayanganj Cotton Mills Dhakeswari, Chittaranjan, Laksmi Narayan Cotton Mills. It was with the help of the labour leaders and the representatives of the employers that I could bring about a peaceful settlement, and the settlement which helped a great deal towards satisfying the demands of labour. Then I brught about settlement of the Bata strike also. The same procedure was followed by me in regard to some other strikes that were blazing throughout Bengal, especially within the suburbs of Calcutta. I must admit very frankly that the Government so far have not been able to devote to labour as much attention, energy and money to ameliorate the condition of labour as was necessary. But with these limitations the Bengal Government have tried to give as much relief as possible.

At the present moment the Labour Department is functioning with the Labour Commissioner at its head, and there are one Additional Labour Commissioner, 2 Deputy Labour Commissioners, 6 Assistant Labour Commissioners and about 10 Labour Officers. It has already been urged on me that the staff at the disposal of the Labour Commissioner is not sufficient to meet the requirements of labour work. We have got to augment the staff and the whole staff is under the careful consideration of the Government.

I think the following points should include the Government's policy:

(1) The right of collective bargaining, i.e., the right to form Trade Unions;

(2) Security of tenure;

(3) Right to living wage;

(4) Housing;

(5) Medical attendance and hospital arrangements;

(6) Sickness insurance;

(7) Provident Fund;

(8) Bonus;

(9) Maternity benefit for women;

(10) Hours of work;

(11) Labour welfare measures; and

(12) Leave with pay.

The problem of housing is engaging the attention of both the Central and the Provincial Governments and the Central Government have drawn cut a housing scheme for the whole of India and they invited the opinion of the Provincial Governments, and on behalf of Bengal Government we have forwarded our plan with regard to the housing scheme. We ourselves are contemplating a Building Scheme for the housing of labour in industrial areas. Recently I had been to Bombay personally and I had the pleasure to visit some of the labour welfare centres started under the auspices of the Bombay Government

Mr. SIBNATH BANERJEE: For clarification, Sir. What is the standard of a living wage according to the Hon'ble Minister?

The Hon'ble Mr. SHAMSUDDIN AHMED : Have patience. I was pleased to see the arrangements made so far as the labourers are concerned. My Labour Commissioner Mr. McWilliam accompanied me. We propose to pursue a scheme for the housing of labour. So far as recognition of trade unions is concerned I admit the present unsatisfactory state of affairs must end, the employers as a whole should be lenient in the matter of recognition of genuine labour unions or rather they shuld encourage formation of labour unions so that it would facilitate the development of trade unions on a sound basis, and it would be easy for the employers to bring about a peaceful settlement in case of either strike or lock-out. It is said that of late there is a tendency on the part of labourers to start strikes which are illegal because they do not serve 14 days' notice before launching the strike I consider strike as a legitimate weapon in the hands of the labourers; but that is no reason why that power should be abused. I think lightning strikes are unjustifiable because it does not give time to the employer to adjust. There is legislation initiated by the Central Government which is before the Central Legislature and it is hoped that the Bill of the Central Legislature will be enacted into law by the 1st of October by which time the Defence of India Rules expire which empower the Government to appoint adjudicators in case of strikes or long-drawn struggles of labour and employers I would request the employers to bring about a little change in their angle of vision and look towards labour with sympathy and consideration because it is by the sweat of their brows that these factories work; without labour not a single factory can work for a day. It must be understood that money alone cannot run a factory. Personally I would visualise socialist viewpoint by which the whole industry should be nationalised and it would be the duty of the State to arrange for food and clothing of labour. On the other hand I would view that illegal strikes or strikes fomenting dissatisfaction amonst labourers are unnecessary and harmful. But it must be understood that the present time is serious from the point of view of labour. The price of the bare necessities of life have risen to 200 to 300 per cent. whereas the wages that a labourer is getting are not even sufficient to purchase the articles of food alone. I would most humbly urge upon all the employers of labour to make a general increment in the wages of labour. I am

personally strongly of opinion that labourers should be given certain bonus without which there would not be the incentive to work which is necessary for the successful running of the national organisation. The present procedure of appointing adjudicators under the Defence of India Rules will expire by the 30th September and some procedure should be laid down by which the Government can enforce its decision on both the employer and the labour. There is on the anvil of the Central Legislature one legislation to that effect. I am thinking of introducing such a legislation before this legislature if I find the Central Legislature cannot bring it into operation before the expiry of the Defence of India Rules. So it naturally follows there must be a machinery by which industrial disputes may be speedily settled.

One of the most important points worth serious consideration is the security of tenure of the workers and the State should see that the labourer is not illegally or unnecessarily dismissed or discharged. As regards Provident Fund, medical attendance, hospital arrangements, sickness insurance, these are matters which should engage the immediate attention of both the employers and the Government and measures should be adopted to secure the health of labour. The insanitary conditions under which they live in the bustees and in the hovels and also the conditions under which they work in the mills deserve the very serious consideration of the employers and the Government from the point of view of health. The maternity benefit for women has already been recognised and measures have been introduced to prevent women labour under certain conditions. Labour has succeeded in removing a long-felt grievance and the Government of India has introduced legislation by which the employment of labour beyond 48 hours a week has been prohibited generally. This is certainly a measure in the right direction from the viewpoint of labour welfare. Provident Fund and bonus schemes ought to be introduced by the employers to prevent labour being stranded.

I think there should be revolution in the angle of vision of the employer and of the general mass of this country. The general tendency to view labour to occupy an inferior place in the sphere of life and work regarded as a curse and those who work hardest are least paid and occupy the lowest rung on the social ladder. There is at least one country in the whole of the globe which has changed this aspect of the thing and reversed the whole scheme of things. It was left to Russia to declare that policy. There work was declared as the noblest thing in life and he is socially useful to his fellowmen and the most worthy citizen of the society. May I mention in that connection the following few lines: "In what other country could we find manual workers, swine-herds, miners and others meeting for a week in the capital to discuss with Stalin and members of the Government their needs and requirements? And in what country would it be possible for them to gain honours and distinctions because they have done their work conscientiously and shown initiative in introducing improvements?"

"The changing mentality of the whole nation on such a fundamental problem has been adopted. Hard and systematic propaganda beginning in the schools, was needed to eradicate old conceptions and ideas." Our province and for the matter of that the whole of India is mainly agricultural country. In industry we are backward; but whatever industry we possess we have not been able to keep industrial labour satisfied. I have already mentioned how prices of bare necessities of life have increased to a very great extent after the cessation of the war and the poor labourer is almost in the same position with regard to food and clothing as during the war. That is one of the reasons why strikes are taking place often and it has practically become a normal feature in the body politic of our country. I hope situated as we are in this agricultural country the condition of peasants and labour in the factories will engage the serious consideration

of our countrymen and Government so that before industrial labour and agricultural labour combine to bring about a revolution in the political sphere, political leaders should take time before long and bring about a changing atmosphere of the agricultural labour and industrial labour.

I propose to hold a conference of the representatives of labour and the employers to go into the whole question and try to devise ways and means for meeting the present abnormal situation.

It is well known that at the present moment the Labour Party is in power in England. The Labour Party has adopted a policy of granting independence to India. That is the reason why Parliamentary Delegation was sent some time back and followed by Cabinet Mission. We have in Bengal at the helm of affairs a Governor who also comes of the Labour rank, who fought his way up throughout his career. All these things taken together foretell a good future for the labour of India and Bengal will not certainly lag behind in the race. Good luck for Bengal labour.

Mr. NIHARENDU DUTT-MAZUMDAR: Sir, contrary to our practice I find the Labour Minister's speech has no relation to what has been said here on the floor of the House.

Mr. DHIRENDRA NARAYAN MUKHERJI: It was written overnight.

The motion of Mr. Niharendu Dutt-Mazumdar that the demand of Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Niharendu Dutt-Mazumdar that the demand of Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that the demand of Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100, was then put and lost.

The motion of Dr. Suresh Chandra Banerji that the sum of Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100, was then put to vote and a division taken with the following result:—

AYES—82.

Acharjee, Mr. Shitangshu Kanta.
Adhikari, Mr. Amulya Chandra.
Bandopadhaya, Mr. Pramatha Nath.
Banerjee, Mr. Gobindalal.
Banerjee, Mr. Sibnath.
Banerjee, Mr. Susil Kumar.
Banerji, Dr. Suresh Chandra.
Barman, Mr. Haran Chandra.
Barman, Mr. Mohini Mohan.
Barury, Mr. Dwarka Nath.
Basu, Mr. Hemanta Kumar
Basu, Mr. Jyoti.
Bhandari, Mr. Charu Chandra.
Bhattacharjee, Mr. Ganendra Chandra.
Bhattacharjee, Mr. Munindra Nath.
Bhattacharyya, Mr. Shyamapada.
Birsha, Mr. Bir.
Biswas, Mr. Bhola Nath.
Biswas, Mr. Gayanath.
Bose, Mr. Satish Chandra.
Chakraborty, Mr. Benode Chandra.
Chakravarty, Mr. Satish Chandra.
Chatterjee, Mr. Haripada.
Chattopadhyaya, Mr. Mihir Lal.
Chowdhury, Mr. Annada Prosad.
Das, Mr. Brojomadhab.
Das, Mr. Jogendra Chandra.
Das, Mr. Radha Nath.
Das Gupta, Mr. Khagendra Nath.
Das Gupta, Mr. Suresh Chandra.
Dass, Mr. Kanailal.
Datta, Mr. Dhirendra Nath.
De, Mr. Kanai Lal.
Dhar, Mr. Manoranjan.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutt-Mazumdar, Mr. Niharendu.
Ganguli, Mr. Bepin Behari.
Gayen, Mr. Arabinda.
Ghose, Mr. A. K.
Ghose, Mr. Bimal Comar.
Ghosh Chowdhury, Mr. Haran Chandra.
Guha Roy, Dr. Protap Chandra.
Gupta, Mr. J. C.
Gupta, Mr. Monoranjan.
Gurung, Mr. Damber Singh.
Jalan, Mr. Iswar Das.
Kundu, Mr. Nishitha Nath.
Lahiri, Mr. Provas Chndra.
Mahammad Afzal, Khan Bahadur Syed.

Mahanty, Mr. Charu Chandra.
Maiti, Mr. Nikunja Behari.
Majhi, Mr. Nishapati.
Majumdar, Mr. Bhupati.
Mal, Mr. Iswar Chandra.
Mallick, Mr. Ashutosh.
Mandal, Mr. Annadaprasad.
Mandal, Mr. Bankubehari.
Mandal, Mr. Krishna Prasad.
Mukherji, Mr. Dhirendra Narayan.
Murarka, Mr. Basantlal.
Naskar, Mr. Ardhendu Sekhar.
Naskar, Mr. Hem Chandra.
Panja, Mr. Jadabendra Nath.
Pramanik, Mr. Purna Chandra.
Pramanik, Mr. Rajani Kanta.
Ray, Mr. Kamal Krishna.
Ray Barman, Mr. Rajani Kanta.
Roy, Mr. Harendra Nath.
Roy, Mr. Kiran Sankar.
Roy, Mr. Ram Hari.
Roy, Mr. Rup Narayan.
Sarkar, Mr. Bijoy Krishna.
Sarkar, Mr. Rajendra Nath.
Sarker, Mr. Prafulla Ranjan.
Sen, Mrs. Ashalata.
Sen, Mr. Debendra Nath.
Sen Gupta, Mrs. Nellie.
Singha, Mr. Arun Chandra.
Sinha, Mr. Bimal Chandra.
Thakur, Mr. Pramatha Ranjan.
Zaman, Mr. A. M. A.

NOES—132.

Abdul Ahad, Dr.
Abdul Awal, Mr.
Abdul Aziz, Maulana Md.
Abdul Aziz Munshi, Mr.
Abdul Hafiz, Mr. Mirza.
Abdul Hai, Maulana.
Abdul Hakim Mia, Mr.
Abdul Hakim Vikrampuri, Mr. Md.
Abdul Halim, Mr. Molla Mohammad.
Abdul Hamid, Mr.
Abdul Hamid, Mr. A. M.
Abdul Hannan, Mr.
Abdul Karim, Mr.
Abdul Khaleque, Mr.
Abdul Mannan, Mr. Fakir.
Abdul Momin, Mr.
Abdullahel Baqui, Mr. Md.
Abdur Rahman, The Hon'ble Mr. A. F. M.
Abdur Rahman Khan (*alias* Nuru Mia), Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rashid, Maulana Khondkar.
Abdus Sabur Khan, Mr.
Abdus Salam, Mr. Md.
Abul Kalam Shamsuddin, Mr.
Abul Masud, Mr. Kazi.
Abul Quasem, Mr.
Ahammad Ali, Mr. Mir.
Ahmed Ali Mridha, Mr.
Ahmed Hosain, The Hon'ble Mr.
Ahmed Kabir Chowdhury, Mr.
Akbar Ali, Maulvi.
Ali Ahmed Chowdhury, Mr.
Ali Ahmed Khan, Mr.
Anwara Khatun, Mrs.
Arif Chaudhury (Dhanu Mia), Mr. Md.
Asan Ali Muktear, Mr.
Aulad Hossain Khan, Mr.
Azizur Rahman, Mr. Syed.
Badiuzzaman Muhammad Ilias, Mr.
Bafatuddin Talukdar, Mr. A. K. M.
Duff, Mr. D. I.
Ebrahim Khan, Mr.
Emaduddin Ahammad, Mr.
Eskandar Ali Khan, Mr.
Farid Ahmad Chowdhury, Mr.
Fazlul Karim, Mr.
Fazlul Qadir, Mr.
Fazlur Rahman (Dacca), Mr.
Fazlur Rahman (Mymensingh), Mr.
Fazlur Rahman (Noakhali), Mr.
Gladding, Mr. D., C.I.E.
Gomes, Mr. D.
Habibul Huq, Mr. Syed.
Hafizuddin Choudhuri, Mr.
Hamiduddin Ahmed, Mr.
Hassan Ali, Mr.
Haywood, Mr. R.
Husan Ara Begum.
Ilias Ali Molla, Mr.
Ispahani, Mr. M. A. H.
Jasimuddin Ahmed, Mr.
Kabir Ahmed Choudhury, Mr.
Kazem Ali Mirza, Shahibzada Kawan Jah Saiyid.
Khairat Hossain, Mr.
Khuda Bukhsh, Mr. Md.
Khurram Khan Panee, Mr.
Lutfar Rahman, Mr. Dewan.
Mackinlay, Mr. G. M.
Madar Bux, Mr.
Mafizuddin Ahmed, Mr.
Mahammad Owais, Mr.
Mahammad Sayeed Mia, Mr.
Majibar Rahman, Maulvi.
Malik, Dr. A. M.
Mandal, The Hon'ble Mr. Jogendra Nath.
Maniruddin Akhand, Mr.
Martuza Reza Chowdhury, Mr.
Masiuddin Ahmed (*alias* Raja Miah), Mr.
Mazharul Haque, Mr. Abu Taiyab.
Miles, Mr. C. W.
Mobarak Ali Ahmed, Mr.
Mohammad Sharif Khan, Mr.
Mohammed Ali, The Hon'ble Mr.
Mozammel Hossain, Dr.
Mudassir Hossain, Mr.
Muhammad Habibullah Chaudhury, Mr.
Muhammad Idris, Maulvi.
Muhammad Ishaque, Mr.
Muhammad Israil, Mr.
Muhammad Quasem, Maulana Haji.
Muhammad Qumruddin, Mr.
Muhammad Rukonuddin, Mr.
Mullick, Mr. Mukunda Behary.
Musharruff Hussain, Nawab, Khan Bahadur.
Muzaffar Rahman Choudhury, Mr.
Nasarulla, Mr. K.
Nawajesh Ahmed, Mr.
Nawab Ali, Mr.
Nazir Hossain Khandkar, Mr.
Norton, Mr. H. R., M.B.E.
Nurazzaman, Mr.
Osman Ali, Mr.

Osman Gani, Mr. Md.
Paniruddin Ahmed, Mr.
Penteny, Mr. L. R.
Powell, Mr. J. A.
Ray, Mr. Nagendra Narayan.
Salim, Mr. S. A.
Serajal Haque, Mr. Syed.
Serajuddin Ahmed, Mr. (Midnapore).
Serajuddin Ahmed, Mr. (Gaibandha).
Serajul Islam, Mr.
Shamsuddin Ahmed, The Hon'ble Mr.
Shamsuddin Ahmed Chowdhury (*alias* Badsha Mia), Mr.
Shamsuddin Ahmed Khondkar, Mr.
Shamsuddin Sikdar, Mr. Md.
Sharfuddin Ahmad, Mr.
Smart, Mr. J. N.
Smith, Mr. A. S.
Smyth-Osbourne, Mr. D. G.
Stark, Mr. A. F.
Stokes, Mr. N.
Tafazzal Ali, Mr.
Taylor, Mr. A. W.
Tofazzel Hossain, Mr.
Walton, Mr. A. C.
Whitehead, Mr. R. B.
Wilkinson, Mr. G.
Wilks, Mr. G. C. D.
Wordsworth, Mr. W. C., C.I.E.
Yusuf Hossain Chowdhury, Mr.
Zahur Ahmed Choudhury, Mr.

Ayes being 82, and Noes 132, the motion was lost.

The motion of Dr. Suresh Chandra Banerji that the demand of Rs. 14,21,000 for expenditure under the head "47—Miscelloneous Departments" be reduced by Rs. 100, was then put and lost.

The motion of Mr. A. M. Zaman that the demand of Rs. 14,21,000 for expenditure under the head "47—Miscellenous Departments" be reduced by Rs. 100, was then put and lost.

The motion of Mr. A. M. A. Zaman that the demand of Rs. 14,21,000 for expenditure under the head "47 Miscellaneous Departments" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Debendra Nath Sen that the demand of Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100, was then put and lost

The motion of Mr. Debendra Nath Sen that the demand of Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Damber Singh Gurung that the demand of Rs. 14,21,000 for expenditure under the head "47—Miscellaneous Departments" be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Mr. Shamsuddin Ahmed that a sum of Rs. 14,21,000 be granted for expenditure under the head "47—Miscellaneous Departments" was then put and agreed to.

57—Miscellaneous.

The Hon'ble Mr. MOHAMMED ALI: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 2,20,73,000 be granted for expenditure under the head "57 Miscellaneous".

Sir, I reserve my comments for reply to the debate that will ensue just now.

Mr. ISWAR CHANDRA MAL: Sir, I beg to move that the demand of Rs. 2,20,73,000 for expenditure under the head "57—Miscellaneous" be reduced by Rs. 100. I move this motion in order to raise a discussion about the inefficient working of the District Boards with a special reference to Midnapore District Board.

Mr. ISWAR DAS JALAN: Sir, I beg to move that the demand of Rs. 2,20,73,000 for expenditure under the head "57—Miscellaneous" be reduced by Rs. 100. The reason for my moving this motion is to raise a discussion about the re-housing of *bustee* dwellers.

Mr. ISWAR CHANDRA MAL: Mr. Speaker, Sir, বাংলা দেশের সমস্ত জেলাবোর্ডগুলি যে খুব খারাপভাবে চলছে তা আমি আমার জেলার district boardএর কাজ থেকেই বিশেষ করে দেখিয়ে দিতে পারি। মেদিনীপুর জেলার লোকসংখ্যা বোধ হয় ৩২ লক্ষ। তার জেলা বোর্ডের নির্বাচন হয়েছিল ১৯৩২ সালে। আজকে ১৯৪৬ সাল হলেও সেই নির্বাচনই বাহাল হয়ে আছে। Local বোর্ডেও নির্বাচন এই রকম করে ঠেকিয়ে রাখা হয়েছে। এর ভিতর Governmentএর যে কি উদ্দেশ্য আছে তা আমরা সাধারণ লোকে কোনক্রমেই বুঝতে পারি না। একটা নিয়ম আছে যে, চার বছর অন্তর district boardএর কি পাঁচ বছর অন্তর district local boardএর election হবে। কিন্তু দুর্ভাগ্য বশতঃ মেদিনীপুরের district boardএর আজকে প্রায় ১৪ বছর হ'লো নির্বাচন হচ্ছে না। ১৯৩৯ সালে কয়েকটি local boardএর, অর্থাৎ একটি local board বাদ দিয়ে অপর local boardগুলির, নির্বাচন হয়েছিল এবং district boardএর সভ্যও নির্বাচন হয়েছিল। ১৯৪২ সালে যদি একটি local board নির্বাচন হলেও আজ পর্য্যন্ত তাদের নাম ও ১৯৩৯ সালে জেলাবোর্ডে নির্বাচিত সভ্যদের নাম প্রকাশিত হয়নি। এই রকম না প্রকাশিত করবার কি যে কারণ থাকতে পারে তা তো বুঝে উঠতে পারি না। Governmentএর এতে কোন আর্থিক ক্ষতি, কি তাদের prestige হানি বা অন্য কোন রকম কিছু অসুবিধা হয় তা আমরা অনেক সময় বুঝে উঠতে পারি না। এই কারণেই আজ cut motion উপস্থিত হয়েছে যে সেই district board এতদিন থেকে চালু থেকেও রাস্তাগুলির এমন অবস্থা হয়েছে যে সেদিন জানলায় District Magistrate হুকুম দিয়ে রাস্তায় গাড়ী চলাচল, অর্থাৎ bus চলাচল বন্ধ করে দিয়েছে। রাস্তাগুলির কি অবস্থা আমার বন্ধু ডাক্তার প্রতাপ চন্দ্র গুহ রায় সেদিন কাঁথী গিয়েছিলেন, দেখে এসেছেন। দেড় ফুট দুই ফুট পর্য্যন্ত রাস্তায় মাটির নীচে গর্ত্ত হয়ে গিয়েছে প্রায় ২ মাইল আড়াই মাইল যেখানে গাড়ী চালানো যায় না। একটি রাস্তা নয়, সমস্ত রাস্তাগুলিরই যে দুরবস্থা তা কল্পনা বা মুখে প্রকাশ করতে পারা যায় না। ১৯৪৪ সালের ওখানকার local boardগুলি উঠে গিয়েছে। সারা মেদিনীপুর জেলাতে সমস্ত union board এখনও কার্য্যকরী হয়নি। আর union boardগুলি সেই President পঞ্চায়েতের হাতে আছে। আমার ধারণা আছে যে সমস্ত জেলায় সমস্ত union board স্থাপিত না হলে local board বাতিল হয়ে যায় না। দেখা যাচ্ছে local boardএর অন্তর্গত যে সমস্ত রাস্তা ছিল যদিও সেগুলি সারিয়ে রাখা district boardএর দায়িত্ব, কিন্তু সে রাস্তায় একটি খুড়িও মাটি এখনও দেওয়া হয়নি। তার যে সমস্ত পুল তৈরী করা হয়েছিল সেগুলির অবস্থাও খুব খারাপ তাদের তক্তা ও খুঁটি ছাড়া আর সবই আছে। (Laughter.) অনেক স্থানে জল নিকাশের পথ নেই District Boardএর Chairmanকে পত্র দিলেও তার কোন প্রতিকার করা যায় নাই। জেলা বোর্ডের রাস্তায় সিংড়া বলে একটা জায়গা আছে সেখানে একটা মস্ত বড় অসুবিধা হয়েছে, সেখানে একটা জলা হইয়াছে এবং সেখানে কোন গাড়ী বা লোক পারাপার হওয়ার সম্ভাবনা নেই। রাস্তাটা হচ্ছে ৬০ মাইল লম্বা, একটা মহকুমার এধার থেকে ওধার। সেই রাস্তায় গেলে ২।৩টে থানায় যাওয়া যায়। সেই থানা থেকে লোকজনের যাতায়াত কিম্বা Government officerদের আসা যাওয়া অত্যন্ত কষ্টকর হয়েছে। কাজেই এই সমস্ত রাস্তা মেরামত যদি না করে district board কি হেতু আছে তা আমরা বুঝতে পারি না। তাদের দৃষ্টি আকর্ষণ করেও আমরা করতে পারিনি। যদি সমস্ত কাজই তাদের বন্ধ করে দিতে হয়ে থাকে Governmentএর কাছ থেকে টাকা না পেয়ে, বা যে কোন কারণেই হোক তাহলে District Board এবং Local Boardএর এত staff maintain করে বছরে দেড় লক্ষ ২ লক্ষ টাকা খরচ করার যে কি কারণ থাকতে পারে তা আমরা বুঝতে পারি না। মোটামুটি আমি এই কথা বলতে পারি যে সেই board এখন সমস্ত বিষয়েতে নিশ্চল অবস্থায় রয়েছে। তার Chairman আছে, তার কেবল পদোন্নতি দেখতে পাচ্ছি, তিনি school master থেকে "রায় বাহাদুর", এবারে Central Assembly'র member পর্য্যন্ত হয়েছেন। (A VOICE: নামটা একবার বলে ফেলুন।) কিন্তু আমাদের জেলাবোর্ডের রাস্তা মেরামত হচ্ছে না। তিনি একটা কিছু হউন আমাদের আপত্তি নেই; Government তাঁর যে পদবীই দিন তাতে আমাদের আপত্তি নেই, কেবল district boardএর জন্য যে টাকাগুলি পাঠানো হয় সেই টাকা দিয়ে footpathগুলি মেরামত করলে অন্ততঃ রাস্তা চলে আমরা আরাম পাবো। টাকাটা দেওয়া হয় road-cess থেকে এবং প্রত্যেক দরিদ্র সেই fundএ টাকা দিয়ে থাকেন। যখন district boardএর সমস্ত fundsকে provincialised করা হয় তারপর থেকেই গোলমাল চলছে। আমি পূর্ব্বে বলেছিলাম যে Governmentএর কর্ত্তব্য হচ্ছে একটা আইন করে প্রত্যেক district boardএর টাকা allot করে রাখা। District board যেটা অনেকদিন আগে ১৮৮৫ সালে Lord Riponএর আমলে স্বায়ত্ত-শাসন বলে প্রতিষ্ঠিত হয়েছিল, সেই স্বায়ত্ত শাসনকে যখন এতদিনে উন্নত অবস্থায় আনা হয়েছে তখন তার যে ভিত্তিটা তাকে আরো দৃঢ় করা উচিত ছিল। সেই district board মারফৎ যে সমস্ত কাজকর্ম্ম হতো তার টাকা পৃথকভাবে

allot করে রাখা উচিত। দেখা যায় যে সে টাকা miscellaneous department-এ রাখা হয়েছে। আমাদের সাধারণ চলতি হিসাবে দেখা যায় যে miscellaneous খাতে হচ্ছে হরবাব। হরবাবী কাজ খাতে ভাল ভাল item নয় বা miscellaneous সেই হরবাবী item। তাতে এই টাকা না রেখে এর একটা আলাদা item করা উচিত; অমুক district board এত টাকা পাবে এইভাবে এটা একেবারে ঠিক থাকা উচিত। তাহলে সে টাকাটা পাবে। District board-এর এখনকার যে অবস্থা, সেইরূপ ব্যবস্থা করলে দেশের সাধারণ লোক কিছু কিছু উপকার পাবে।

Mr. ISWAR DAS JALAN: Sir, in speaking on my cut motion I wish to draw the attention of the Government through you, Sir, to the most important question which enjoys the sympathy and co-operation of all the groups of this House—the question of rehousing of *bustee* dwellers. Though the European Party have not moved their cut motion on this subject but still they tabled a motion and it is quite apparent that they also consider this question to be a question of paramount importance. About two years ago, His Excellency the then Governor of Bengal Mr. R. G. Casey visited the *bustees* and he was horribly moved by the condition of the *bustees*, a parallel of which could not be found in any European country. He took steps in January, 1945. A conference was convened presided over by His Excellency and His Excellency dwelt upon both the long-term reforms as well as the short-term reforms. Since then much water has flown down the Ganges, but we have not seen any improvement in the condition of the *bustees*.

Sir, the condition of the *bustees* is well-known to all of us because these *bustees* are interspersed throughout every quarter of this city of Calcutta, the second city in the British Empire—of course, now in liquidation. It is a blot upon the fair name of this great city that these *bustees* should still exist when in Bombay you will find that there are no such *bustees*. So far as the Improvement Trust of Calcutta is concerned, it engaged itself practically in road-making, earning some profit and getting away. It does not interest itself in improving the condition of the people in having good houses, *chawls*-as *chawls* there are in Bombay.

The Government has allocated Rs. 15 lakhs this year, but it is not known as for what purpose and in what way Government is going to spend it. The Government neither in the blue book nor in the red book nor in its statement has indicated the purpose and the way in which this amount is to be spent. The Hon'ble Minister even today, moving the demand, has not elucidated the point as to how the amount is going to be spent and in what position we are today. It is a matter of great importance not only from the point of view of the *bustee* dwellers but it has got its repercussions upon the big housing problem of Calcutta. It is a well-known fact that so far as housing accommodation in the city is concerned, it is hopelessly inadequate. You cannot find a single room in the busy quarters of Calcutta without paying a very heavy sum as premium. In spite of the legal prohibition, if a man has got to live, he has got to pay. So far as the housing problem is concerned, no doubt the Government has indicated that it is going to constitute a Housing Board, but the Government ought to elucidate as to what practical steps the Government is going to take with regard to the tackling of the housing problem. It is inter-connected with the problem of housing of the *bustee* dwellers.

So far as the *bustee* dwellers' condition is concerned, I do not wish to depict the horrible condition in which they live. They have got no water supply in proper condition. They have got no sanitary arrangements. It is nothing but a place where people go practically to ruin their lives and their health.

In the conference His Excellency Mr. R. G. Casey had stated that the problem had to be tackled in two parts—long-term and short-term. The rehousing of all the people concerned would be a long-term job, but a

considerable number of improvements had to be effected without delay and those were in five main directions—cutting lanes through *bustees* and opening them up, eliminating open drains with no flow, improving water supply, tackling the question of privies and providing street lighting in the *bustees*. These are some of the questions over which something ought to be done and I would expect the Hon'ble Minister to say something in this House which should show what concrete steps the Government is going to take in this direction. To us it appears that the sum of Rs. 15 lakhs is too inadequate to tackle this problem. It is practically tinkering with the problem which is a matter of paramount importance.

Sir, with these words I move this cut motion for the consideration of the Hon'ble Minister in charge of this subject and I do expect that he will elucidate this point further in the interest of the Government as well as in the interest of the public.

Mr. RAJANI KANTA PRAMANIK: Mr. Speaker, Sir, I support the cut motion of the honourable member Mr. Iswar Chandra Mal. The Midnapur District Board under the evils of official control amounting to tyranny has proved to be most inefficient and corrupt local body. Sir, about 14 years ago, the Midnapur District Board was formed of non-representative elements and the District Board has not been allowed to be reconstituted, according to law, by popular elements. In 1939 there were elections to the Local Boards which however were formed as late as 1940. In 1941 District Board members were elected by the members of the Local Boards, but the Government mischievously abstained from publishing the names of the members in the Calcutta Gazette and thus prevented the formation of the District Board of Midnapore. Sir, the Midnapore District Board as previously captured and run by the Congress had been the eye-sore of the Government of Bengal, because the Midnapore District Board, with its high ideals of public service, largely infused by late Deshapran Birendra Nath Sasmal, has worked incessantly for the welfare of the people, which is the very opposite to the ideal of the Government of this unhappy land. The Government have therefore looked enviously upon the Midnapore District Board as long as it has been worked by the Congress people and have attempted to thwart its activities in many ways. It is for this reason, Sir, that popular representatives of the District elected in 1941 have not been allowed to form the District Board up till now and unpopular Government henchmen have been placed in charge of the District Board of Midnapore, so that they may fall in line with the Government in their policy of suppression, tyranny and maladministration. The inevitable result of this policy of the Government has been that the District Board has failed to serve the interests of the people. The District Board of Midnapore, Sir, is conspicuous by its inefficiency and rottenness. The present form of the District Board of Midnapore is not of any use in any way whatsoever, and should at once be thrown to the scrap-heap. Sir, the present group of people in charge of the District Board affairs do not feel any incentive for doing anything for the people and are naturally given to shameful indolence. Throughout the district, are scattered innumerable instances of the incompetence and inefficiency of these worthless people. The roads have not been repaired for long years, and, therefore, are in numerous places more a nuisance than a help to the people. At many places, the level of the roads has gone below that of paddy fields and in this rainy season, one wonders, if ever there was any road in those places. The bridges have not been attended to for a long time, and so, one has to wallow through mud and water instead of crossing over the bridges which are in hopelessly tottered condition. Even the motorable metalled roads are now in such a bad state that motor journey is not only a long-drawn business, but also dangerous. Sir, people have been paying road-cess and they have a right to know what comes of their hard-earned money. It appears that the only use to which their money is put is in respect of the Midnapore

District Board Office, and that also in a very inefficient and rotten manner, and the money is mainly vanishing in doubtful channels through the agency of a group of persons who never had the support of the people behind them, and who depend for their existence in the District Board on their loyalty to the tyrannical Government and on their disloyalty and disservice to the people. Sir, the District Board of Midnapore should be allowed to be formed of the peoples' representatives, and by allowing persons who have forfeited the confidence of the people of Midnapore to carry on the District Board of Midnapore the Government have also lost our confidence.

With these words, Sir, I support the motion of Mr. Mal.

Mr. JYOTI BASU: Mr. Speaker, Sir, I am glad that your eyes have at last fallen on me and I am allowed to say a few words, because I feel that specially on the question of *bustee* dwellers in Calcutta I would not be doing my duty if I kept silent. I shall not go into the details of the living conditions and the miserable lives they live year after year and generation after generation in these *bustees* in and around Calcutta, I shall not go into details because I think the Hon'ble Minister will agree with me about the unhappy plight of those people. I shall only say that for five lakhs of such bustee dwellers according to our calculation not sufficient money has been provided by the Government. I do not know why the Hon'ble Minister did not think this matter of sufficient importance, because apart from the question of money and providing them with decent homes, it seems to me that the Hon'ble Minister is not at all aware that thousands and thousands of these *bustee* dwellers are being ejected from the places which they have inhabited generation after generation, and if the Hon'ble Minister will enquire, he will find that during the last year in north and south Calcutta thousands of such *bustee* dwellers with their families have been ejected and Government have not made any provision as to where those unfortunate people should go. They have to come away with their families and live under the trees and in streets. At the same time we find that through those ejectments the landlords become the chief gainers. The landlords acquire the *bustee* lands and in the ordinary process of law they eject those *bustee* dwellers. They also bring the Police or their drawans and try to frighten them into submission. If they are not frightened, they take them to court and after that it is easy for landlords to eject them. I think the Hon'ble Minister should himself enquire about this tomorrow and not delay the matter any further. We talk about housing those unfortunate people, but we find that no provision has been made for their housing, not even a provision for stopping ejection, whether it is legal or illegal, which is going on throughout Calcutta. If these people were ordinary people, just chance-comers who had left their villages and flocked to Calcutta, then that would have been a different matter in spite of the fact that they are human beings, but these people, as I have repeated twice have been living in *bustees* for generations. Those *bustees* are their homes where they live and die. That is why I say that it is a crime not to go into their distress and instead of elaborating this matter any further I submit to the Hon'ble Minister, if he is at all serious about taking up the question of about five lakhs of *bustee* dwellers, then immediately a Committee has got to be set up to enquire not only into their conditions, but also to work out a plan as to how we can benefit those people, how we can stop those ejectments of the *bustee* dwellers with their families and children. Therefore in making this constructive suggestion I am urging upon the Hon'ble Minister to form this Committee as soon as possible, a popular committee taking representatives from all sections of the people, from all political parties and work out a scheme for the *bustee* dwellers.

The Hon'ble Mr. MOHAMMED ALI: Sir, I have been requested to be very brief as the members on this side of the House are observing fast. So

I shall not detain the House; I shall be very brief. Sir, Mr. Mal has referred to the administration of the Midnapore District Board. He has referred to the condition of roads and bridges. I would point out to him that Government have unfortunately no control over the internal administration of self-governing local bodies. It is a matter for the local self-governing bodies in which the representatives of the people are present So far as reconstitution of District Boards in the Province is concerned, the honourable members of this House know that after the amendment of the Local Self-Government Act it has been provided that local boards will be abolished and after the abolition of local boards, the constituencies have to be delimited. Therefore in deciding about delimitation there may be some amount of delay. Elections in several District Boards are being held up because the question of delimitation has not been fully decided in many cases, but Government realise that it is necessary to reconstitute the District Boards where such reconstitution is overdue. I can assure the honourable member that every step is being taken by Government to expedite the decision regarding delimitation of constituencies and wherever elections are due they will be held as early as possible.

So far as housing is concerned, we have provided for a sum of Rs. 15 lakhs. I realise, as Mr. Jalan has stated that this amount is not adequate, but I would tell him that this provision is made only for the current year Further provision will be forthcoming so that we will be able to tackle this problem of housing in a comprehensive manner I have already announced that it is the Government's intention to constitute a Housing Board and that Board will take up the question of the construction of tenements, flats and other kinds of block, of flats for housing the *bustee* dwellers and industrial labours. Sir, so far as this question is concerned I want to tell Mr. Basu that I realise the condition in which *bustee* dwellers live. Their condition is really miserable, as he puts it, but the point is this that if we want to take action under the Bengal Slum Improvement Act I find that there is a lacuna. We quite feel what Mr Basu has rightly pointed out that there is no provision to prevent landlords from evicting tenants. Sir, the Slum Improvement Act provides for improvement of *bustees* but there is no provision in the Act that after the improvement in the *bustees* the present tenants will continue to be there and enjoy the benefits of such improvement We feel that there is necessity for amendment of the Act so as to ensure that the improvement carried out in the *bustees* will really go to the benefit of *bustee* dwellers. So this question is now under Government's examination. Now, Sir, there are one or two schemes under the Bengal Slum Improvement Act which will be taken up by the Calcutta Improvement Trust. They have taken up schemes in the Singhi Bagan area and Government have promised to give Rs 5,90,000 to the Improvement Trust so that they can give effect to the scheme there. This scheme will cost in the neighbourhood of Rs. 8 to 9 lakhs; Government have promised a subvention of Rs. 6 lakhs so that the scheme may be taken up by the Calcutta Improvement Trust without much difficulty. We have got certain schemes from the Calcutta Corporation and the Howrah Municipality. The scheme from the Howrah Municipality was received only a couple of days ago and that is being examined by Government. There appears to be one or two defects in the scheme and for that purpose it is being again referred to the Howrah Municipality. If any local body, say, the Garden Reach Municipality, the Calcutta Corporation, etc., come forward with any schemes, I can assure the House that Government will give a subvention for the execution of those schemes. Apart from this, Government have in contemplation their own housing schemes. I have under contemplation a scheme by which we shall be able to introduce a system to build tenement flats in Calcutta so that the *bustee* people who are de-housed from existing sites will be provided with accommodation in Government flats. But the question of providing accommodation and all these things will be considered by the Housing Board. Government will put this scheme into

operation even before the constitution of the Housing Board and then onwards they will take up responsibility for erecting those flats and for arranging accommodation of *bustee* dwellers.

So far as Industrial labour is concerned——

Mr. JYOTI BASU: With whom the Housing Board is going to be constituted?

The Hon'ble Mr. MOHAMMED ALI: With representatives of non-official organisations and leading experts on the subject.

So far as Industrial labour is concerned, the Government of India has sent to the Government of Bengal a scheme but there was some defect in that scheme. They have two schemes—a long term scheme and a short term scheme. The long term scheme envisages the manufacture of standard parts. This matter is being examined but so far as the short term scheme is concerned, the formula laid down by the Government of India was not found very suitable for Bengal. Under their formula it was proposed that rooms or suites would be given out on a rental of Rs. 7 to Rs. 10, but it was felt by the Government of Bengal that Rs. 7 or a little more is beyond the reach of the really poor. Therefore, we are bringing the rent down below Rs. 7 so that it may be within the paying capacity of the poor bustee dwellers who pay much less than Rs. 7 as rent. This is a matter which is now under correspondence with the Government of India and if it is found that the Government of India will relax this point then we may take up the question of housing industrial labour. This matter is being dealt with by the Commerce, Labour and Industries Department.

With these words I oppose all the cut motions and commend my motion for voting of supplies for the acceptance of the House.

The motion of Mr. Iswar Chandra Mal that the demand of Rs. 2,20,73,000 under the head "57 Miscellaneous" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Iswar Das Jalan that the demand of Rs. 2,20,73,000 under the head "57 Miscellaneous" be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Mr. Mohammed Ali that a sum of Rs. 2,20,73,000 be granted for expenditure under the head "57—Miscellaneous", was then put and agreed to.

Adjournment.

The House was then adjourned at 6-10 p.m. till 3-30 p.m., on Thursday, the 15th August, 1946, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 15th August, 1946, at 3-45 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. NURUL AMIN) in the Chair, 8 Hon'ble Ministers and 214 members.

Police Guards in the Assembly House compound.

Mr. DHIRENDRA NATH DATTA: Sir, before the business of the House begins, may we know why is there this demonstration on all sides of the Assembly buildings for which we have been much inconvenienced?

Mr. SPEAKER: You may mention it after the question hour.

STARRED QUESTIONS

(to which oral answers were given)

Suspension of publication of the Gurmukhi daily "Deshdarpan".

***16. Mr. SATISH CHANDRA BOSE:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) when the Gurmukhi daily paper *Deshdarpan* commenced its publication in Calcutta and till what time it continued its publication; and

(*ii*) under what circumstances the publication of the paper was suspended?

(*b*) Is it a fact that its Editor and Proprietor Mr. Niranjan Singh Talib was arrested and detained as a security prisoner from the 6th February, 1942, to the end of 1945?

(*c*) Will the Hon'ble Minister be pleased to state whether the said Mr. Niranjan Singh Talib on his release and return to Calcutta approached the Bengal Government for the renewal of his quota of newsprint? If so, when? What action has been taken by the Bengal Government up to this day?

(*d*) Has the Bengal Government recommended any new Punjabi paper for newsprint quota to the Central Government? If so, when and on what grounds?

(*e*) Is it a fact that the newspaper referred to in clause (*d*) has not commenced its publication as a daily paper?

(*f*) Is the Hon'ble Minister aware that Sree Guru Singh Sabha, Calcutta, on behalf of 30 thousand Sikhs of Bengal passed a resolution demanding newsprint quota for the *Deshdarpan*?

(*g*) Has the Press Advisory Council, Bengal, also recommended the grant of newsprint quota to *Deshdarpan*?

(*h*) If the reply to (*g*) is in the affirmative, will the Hon'ble Minister be pleased to state what action has been taken on the recommendation of the Press Advisory Council?

Mr. HAMIDUDDIN AHMED (on behalf of the Hon'ble Mr. H. S. Suhrawardy): (*a*) (*i*) The paper *Deshdarpan* commenced its publication in Calcutta in May, 1931, and continued till May, 1942.

(*ii*) The paper ceased publication after the arrest of Mr. Niranjan Singh Talib in the Punjab.

(*b*) He was arrested on 6th February, 1945, and detained till 11th October, 1945.

(*c*) Yes; 2nd April, 1946. His case was recommended to the Government of India who have since granted him the requisite permission to resume publication of the defunct newspaper.

(*d*) No. Does not arise.

(*e*) Does not arise.

(*f*) and (*g*) Yes.

(*h*) *Vide* answer to (*c*).

Mr. SATISH CHANDRA BOSE: Is the Hon'ble Minister aware that Mr. Niranjan Singh Talib was arrested on the 6th February, 1942, and not 1945? I think that is a fact. Now, will the Hon'ble Minister be pleased to state whether the Keeper of the Press did make a declaration and how long was that declaration kept pending without action being taken on it?

Mr. HAMIDUDDIN AHMAD: Yes, the matter was delayed because of the error committed by Mr. Niranjan Singh Talib himself because he made a declaration originally that the paper would be published in the Kabi Press but on enquiry it was found that the Kabi Press was not in existence at the time. The process of enquiry took some time and the Government had to remind Mr. Talib that the Kabi Press did not exist at the time. So Government could not recommend publication of his paper from there. Mr. Talib was then given an opportunity to correct his error, and as a result Mr. Talib subsequently filed a new declaration for printing the paper in another press and he was given the necessary permission.

Mr. J. C. GUPTA: Is the Hon'ble Minister aware that when his subsequent application was made and declaration about the press and location of the press was given as required under the law, orders were not passed for several months?

Mr. HAMIDUDDIN AHMAD: It was not so.

Mr. NIHARENDU DUTT-MAZUMDAR: In view of the fact that the paper had to suspend publication on account of the arrest and detention of Mr. Talib without trial and that he sustained heavy losses, does the Government contemplate giving him some compensation for the losses sustained by his concern as a result of his detention without trial?

Mr. HAMIDUDDIN AHMAD: No.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Sir, it seems that after the arrest of Mr. Talib the paper continued for four months. Will the Hon'ble Minister be pleased to state who was the editor, printer and publisher of the paper during that period?

Mr. HAMIDUDDIN AHMAD: I want notice.

Post-War Reconstruction.

***17. Mr. BIMAL CHANDRA SINHA:** Will the Hon'ble Chief Minister be pleased to state—

(*a*) how far the Government have accepted the various plans for Post-War Reconstruction as formulated in the Preliminary Draft of the Bengal Government's Post-War Reconstruction Plan;

(*b*) what progress has been made in their execution;

(*c*) what costs have been incurred up to date for those purposes;

(*d*) how far the Bengal Legislature was consulted on those plans;

(*e*) how far the schemes adopted and costs incurred thereon have been approved by the Bengal Legislature; and

(*f*) what assistance, if any, financial or otherwise, has been rendered by the Government of India in the matter of execution of these plans?

Mr. MAFIZUDDIN AHMED (on behalf of the Hon'ble Mr. H. S. Suhrawardy): (*a*) The member is referred to pages 7 to 17 and Appendix II of the Budget Statement of the Hon'ble Finance Minister.

(*b*) A statement is laid on the Library Table.

(*c*) The system of booking details in the Provincial accounts does not permit this information to be given at this stage.

(*d*) The Legislature stood prorogued when the plans were adopted.

(*e*) The present session will provide the answer.

(*f*) The honourable member is referred to page 2 of the Budget Statement of the Hon'ble Finance Minister.

Mr. BIMAL CHANDRA SINHA: In view of the answer given in (*d*) will the Hon'ble Minister be pleased to consider the desirability of consulting the Legislature on the plans as a whole?

Mr. MAFIZUDDIN AHMED: The Legislature is being consulted now because the whole Budget is before the Legislature and the plans are there for its consideration.

Mr. BIMAL CHANDRA SINHA: Sir, my question was: Will the Hon'ble Minister be pleased to consider the desirability of consulting the Legislature on the plans as a whole and not on the individual plans?

Mr. MAFIZUDDIN AHMED: The plans are ripe, that is, accepted by the Government and these plans have been put in the Budget and have been provided for. In this way the Legislature is being consulted.

Mr. BIMAL CHANDRA SINHA: Will the Hon'ble Minister be pleased to state if the Government are considering that these plans will be first accepted by the Government and put into operation and then placed before the Legislature, or the Legislature will be consulted before these plans are put into execution?

Mr. MAFIZUDDIN AHMED: I have nothing further to add.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state how many committees of Post-War Reconstruction were formed?

Mr. MAFIZUDDIN AHMED: At present there is one Development Board and under the Development Board there are 16 sub-committees.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state how many meetings were held of these different sub-committees and the parent committee?

Mr. MAFIZUDDIN AHMED: I refer my honourable friend to my reply to the question put by Mr. Dhirendra Nath Datta on Tuesday last.

Dr. SURESH CHANDRA BANERJI: With reference to item No. 89 in the Preliminary Draft Plan, will the Hon'ble Minister be pleased to state what is the constitution of the Conciliation machinery?

Mr. MAFIZUDDIN AHMED: I would refer my honourable friend to the Five Year Plan which contains the details of the programme.

Dr. SURESH CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state how long has this Conciliation machinery been functioning?

Mr. MAFIZUDDIN AHMED: I cannot answer that question offhand.

Mr. BIMAL CHANDRA SINHA: In view of the statement made by the Hon'ble Finance Minister that these schemes will be dovetailed into a master plan, will the Hon'ble Minister be pleased to consider the desirability of placing before the Legislature their master plan, if any?

Mr. MAFIZUDDIN AHMED: So far as this question is concerned, I would like to reply that for 1946-47, which is known as the interim period, some plans have been accepted and these plans cannot be expected to be completed in that year and these will be dovetailed into the five-year plan that is starting from 1947-48.

Mr. BIMAL CHANDRA SINHA: My question has not been answered. My question was——

Mr. SPEAKER: The question has been answered in the way in which he understood it. I cannot help it.

Mr. J. C. GUPTA: Will the Hon'ble Minister be pleased to make a copy of the five-year plan available to each and every member of the Bengal Legislative Assembly?

Mr. MAFIZUDDIN AHMED: I refer the honourable member to the budget statement of the Finance Minister.

Mr. SPEAKER: Mr Ahmed, I may point out that the question was whether the five-year plan book can be made available to the members.

Mr. MAFIZUDDIN AHMED: Government may consider this suggestion.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, may I intervene? The five-year plan is rapidly getting out-of-date because it is being added to, being amended, may be altered I hope, improved A newer edition will be brought out shortly which, we hope, will be placed in the hands of the honourable members.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble Minister be pleased to give an assurance that these plans will be placed for discussion before the Legislature before they be put into execution?

The Hon'ble Mr. SUHRAWARDY: No, Sir.

Mr. MIRZA ABDUL HAFIZ: In view of the fact that batches of higher technical personnel have been sent abroad, will the Hon'ble Minister be pleased to state how many batches have been sent to England as well as to America?

Mr. MAFIZUDDIN AHMED: I want notice.

Mr. BIMAL COMAR GHOSE: With reference to answer *(f)*, will the Hon'ble Minister be pleased to state if the amount referred to in page 2 is the final and total amount that the Government of Bengal expect to get from the Government of India?

Mr. MAFIZUDDIN AHMED: So far as this is concerned, the estimated cost of the five-year plan is about Rs. 160 crores and out of that it is expected that the Government of India will contribute Rs. 69 crores and Rs. 12,10 lakhs have been estimated for the interim period.

Mr. BIMAL COMAR GHOSE: Will the Hon'ble——

Mr. SPEAKER: I think we have been over 10 minutes on this question. Next question.

Mr. BIMAL COMAR GHOSE: One hour is devoted to questions and we do not cover one hour every day.

Mr. SPEAKER: We have already heard that this five-year plan is going to be out-of-date. What is the good of putting any more questions?

Mr. BIMAL COMAR GHOSE: May I put my question with regard to question No. 17?

Mr. SPEAKER: If you have got any question to put, a fresh notice will be necessary and I shall see that answer is given in time.

Mr. BIMAL COMAR GHOSE: My submission is that we do not cover one hour for questions every day.

Mr. SPEAKER: That I realise but in the budget session members may curtail question time for devoting it more profitably to the discussion of the budget.

Bengal Survey School at Mainamati, Tippera.

***18. Mr. DHIRENDRA NATH DATTA.** (*a*) Is the Hon'ble Minister in charge of the Department of Land and Land Revenue aware that there was a Bengal Survey School stationed at Mainamati in the district of Tippera?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state how long the school existed there?

(*c*) Is it a fact that the school was shifted to Bankura during war time when the school premises with its compound were requisitioned by the military authorities for military requirements?

(*d*) If so, will the Hon'ble Minister be pleased to state whether the school will be shifted to its former site at Mainamati in the district of Tippera now that the war is over?

(*e*) If so, when?

MINISTER in charge of the DEPARTMENT of LAND and LAND REVENUE (the Hon'ble Mr. Saiyed Muazzamuddin Hosain): (*a*) (*c*) and (*d*) Yes.

(*b*) From 1914 to April, 1942.

(*e*) As soon as the school, hostel and staff buildings are derequisitioned and put in proper repairs for reoccupation.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware that the school at Mainamati has already been derequisitioned by the Military?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Yes, it has recently been derequisitioned but it has not yet been put in proper condition of repairs.

Mr. ASHUTOSH MALLICK: Will the Hon'ble Minister be pleased to state if it is in the contemplation of Government that a new survey school will be started in Bankura so that local students may not be put to inconvenience?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: No.

Mr. NIKUNJA BEHARI MAITI: Is the Hon'ble Minister aware that there is great necessity for a new school in Western Bengal?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: No.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Will it be possible for the Government to shift the school before the next session?

The HON'BLE Mr. SAIYED MUAZZAMUDDIN HOSAIN: Yes, the school is likely to be shifted just after the Pujah holidays.

Mr. KANAI LAL DE: Is the Hon'ble Minister aware that the number of students increased greatly after the removal of the school at Bankura?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: No.

Mr. NIKUNJA BEHARI MAITI: In view of the importance of survey that is going to take place in Bengal in the coming years, will the Hon'ble Minister consider the desirability of starting a new school in Western Bengal to meet the needs of Western Bengal?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: There is no demand by the Western Bengal people.

Survey and preparation of record-of-rights of the Sundarban areas.

*19. **Mr. HEM CHANDRA NASKAR:** (*a*) Will the Hon'ble Minister in charge of the Department of Land and Land Revenue be pleased to state if it is in the contemplation of the Government to make survey and prepare record-of-rights of the Sundarban area in the district of 24-Parganas? If so, with what object?

(*b*) Does the Government intend to acquire the interests of any class or classes of holders of lands in that area? If so, which are those classes?

(*c*) Has the Government decided, in the case of such acquisition, to maintain the holders in actual *khas* possession of lands in that area, by cultivation or otherwise, in possession of their respective lands?

(*d*) Does the Government intend to introduce any legislation in respect of the acquisition of that area? If so, what?

(*e*) Has the Government decided on what principle the interests of different grades of holders of the lands will be compensated?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: (*a*) It is in contemplation to revise the record-of-rights of the area which may involve fresh survey in some parts of it. The immediate objective is to prepare an up-to-date record-of-rights while the ultimate objective is to use the basic record so prepared for compensating those whose interests in land may later be acquired by Government when State acquisition of zamindari and intermediate interests in land, is taken up.

(*b*) to (*e*) The lines on which legislation for State acquisition of rent-receiving interests should be made are under the consideration of Government.

Mr. NIHARENDU DUTT-MAZUMDAR: With regard to the answer referring to acquisition by Government of zemindary and intermediate interests in land, will the Hon'ble Minister be pleased to state what kind of administrative machinery has Government in contemplation to set up for the purpose of administering the rights that will be acquired by Government in this manner?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: It is too premature now. Even the survey has not started.

Mr. NIHARENDU DUTT-MAZUMDAR: Has not the Government at all thought over the question of administration of these acquired rights?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: No.

Mr. NIHARENDU DUTT-MAZUMDAR: Will Government be pleased to state, with regard to the answer about payment of compensation, at what rate Government is considering paying compensation?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: It is still under consideration of Government.

Mr. NIHARENDU DUTT-MAZUMDAR: Will the Hon'ble Minister be pleased to state whether Government has finally decided after due deliberation that compensation will be paid for acquisation of those rights?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: That has also not been finally decided.

Mr. MUHAMMAD HABIBULLAH CHAUDHURY: Is the Hon'ble Minister aware that the people of Bengal are now definitely against giving any compensation whatsoever?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: A section of the people are.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state what are the parts of the Sundarban area that are going to be surveyed for the purpose?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Those parts where it is necessary to prepare revised record of rights.

Mr. ABDUS SABUR KHAN: Will the Hon'ble Minister be pleased to state whether by "Sundarban areas" he means only the district of 24-Parganas or the sundarban areas of Khulna district also?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: This question relates only to the Sundarban areas of 24-Parganas, but the entire area is in our contemplation.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state, if he can, the areas that are going to be surveyed?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: That is not possible to say off-hand.

Mr. NIHARENDU DUTT-MAZUMDAR: With reference to the preparation of records-of-rights of the Sundarban areas will the Hon'ble Minister be pleased to state if Government has in contemplation affording immediate relief to the Sundarban tenants?

The Hon'ble Mr. SAIYED MUAZZAMUDDIN HOSAIN: Some important projects will be carried on side by side with survey projects, for example, protection of *bunds*, repairs, and protection of crops from saline water and other things.

Release of political prisoners.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I have reviewed the cases of the pre-reform terrorist prisoners. Government have passed orders to release them all (Cheers.) (Cries of "Muslim League Zindabad", "League Ministry Zindabad" from the Government Party benches.) (Mr. NISHITHA NATH KUNDU: Including convicted prisoners?). Steps are being taken at once to set them at liberty as soon as possible.

Dr. SURESH CHANDRA BANERJI: What about 1942 prisoners?

The Hon'ble Mr. H. S. SUHRAWARDY: As regards 1942 prisoners their case is under my examination.

Dr. SURESH CHANDRA BANERJI: What about I.N.A. prisoners?

The Hon'ble Mr. H. S. SUHRAWARDY: Cases of all prisoners who may be considered to be political prisoners are under my examination.

Dr. SURESH CHANDRA BANERJI: Is the Hon'ble Minister aware that in the Congress Provinces not only pre-reform prisoners but all political prisoners have been released?

Mr. KIRAN SANKAR ROY: Mr. Speaker, it is not often that we find an occasion to congratulate the Hon'ble Chief Minister and his collegues on the treasury benches, but, Sir, I am very glad to congratulate the Hon'ble Chief Minister on the courageous action he has taken. I know he has only done his duty. He has righted a great wrong, but still I congratulate him again for the courage he has shown. But one thing I would like to say before I sit down. I wish he had not used the word "terrorist". We do not consider them as terrorists, they are revolutionary patriots.

(Mr. Jyoti Basu rose to speak.)

Mr. SPEAKER: There cannot be any discussion on this.

Mr. JYOTI BASU: On a point of information, Sir.

Mr. SPEAKER: Nobody else will be allowed to speak.

Mr. JYOTI BASU: Only one information I want.

Narayanganj incident.

Mr. J. C. GUPTA: Sir, there was a short notice question regarding firing at Narayanganj and we expected a statement here yesterday. Well, a detailed statement may not be possible, but under rule 776, clause 9 of the Police Regulations, Bengal, an express telegram always preceeds a written report. May I know whether the Hon'ble Minister in charge will be pleased to acquaint the House about that?

The Hon'ble Mr. H. S. SUHRAWARDY: A telegrams was received. Unfortunately it was rather cryptic and would not have helped the honourable members of this House. We have referred it back again for further information, and as soon as it is available, it will be placed before the House.

DEMAND FOR GRANTS.

50—Civil Works and 81—Civil Works not charged to Revenue.

The Hon'ble Mr. JOGENDRA NATH MANDAL: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 6,24,81,000 be granted for expenditure under the heads "50 Civil Works" and "81—Civil Works not charged to Revenue"

Sir, I reserve my comments to be made in reply to the observations that will be made in connection with cut motions.

Mr. GANENDRA CHANDRA BHATTACHARJEE: Sir, I beg to move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. The reason for my moving this motion is to raise a discussion about necessity of improving a few district board roads in the district of Dacca, *i.e.*, (*i*) Madhabdi to Panchdona, (*ii*) Narsinghdi to Kaliganj, (*iii*) Rajendrapur to Kapasia, (*iv*) Munshiganj to Dighirpar, (*v*) Nirkadim to Bajrajogini, (*vi*) Kaliganj to Tangi.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. The reason for my moving this motion is to raise a discussion about the necessity of improving some existing district board roads in the district of Tippera, such as (*i*) roads from Comilla to Chandpur, (*ii*) from Comilla to Brahmanbaria, (*iii*) from Brahmanbaria to Sarail and the neglect of the Government in that respect.

I also beg to move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to

Revenue" be reduced by Rs. 100. I move this motion in order to raise a discussion about the failure of the Government to metal the public highway from Comilla to Chittagong which is known as Dacca-Chittagong Highway or also known as Pilgrims' Road.

I further move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. The reason for my moving this motion is to raise a discussion about the necessity of converting the existing following roads into motorable roads in the district of Tippera:—

(1) road from Comilla to Ramchandrapur,

(2) road from Brahmanbaria to Sarail,

(3) road from Comilla to Nabinagar,

(4) road from Comilla to Brahmanbaria,

(5) road from Comilla to Chandpur,

(6) road from Chandpur to Matlab,

(7) road from Chandpur to Faridgunj,

(8) road from Comilla to Chauddagram,

(9) road from Chandpur to Haimchar,

and the necessity of constructing road from Bancharampur to Nabinagar.

Mr. HEMANTA KUMAR BASU: Sir, may I be permitted to move the motion standing in the name of Mr. Nishitha Nath Kundu?

Mr. SPEAKER: Yes.

Mr. HEMANTA KUMAR BASU: Sir, I beg to move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. I move this motion in order to raise a discussion about haphazard ways in which lands are acquired, compensation paid and then acquired lands are not used and given up and new lands acquired and thus huge public revenue is wasted and also the dilatory ways in which the construction and improvement of provincial highways and major district roads, etc., are conducted.

Mr. RAMHARI ROY: Sir, I beg to move that the demand of Rs 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. The reason for my moving this motion is to raise a discussion about non-inclusion of provision for construction of a bridge over the Mahananda at Malda town.

Mrs. NELLIE SEN GUPTA: Sir, I beg to move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. I move this motion in order to raise a discussion about roads and bridges of Chittagong Rural Areas.

Mr. RAJENDRA NATH SARKAR: Sir, I beg to move that the demand of Rs. 6,24,81,000 for expenditure under heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. I move this motion in order to raise a discussion about the horrible condition of the Satkhira-Itinda Road in the district of Khulna.

Mr. HARIPADA CHATTERJEE: Sir, I beg to move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. The reason for my moving this motion is to raise a discussion about the necessity of constructing a high motorable road from Plassey Station to Plassipara.

Mr. KANAILAL DASS: Sir, I beg to move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and

"81—Civil Works not charged to Revenue" be reduced by Rs. 100. I move this motion in order to raise a discussion about the Government policy and construction and improvement of Provincial Highways, major district roads, etc.

Mr. KHAGENDRA NATH DAS GUPTA: Sir, I beg to move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. I move this motion in order to raise a discussion to remedy the grievances of the public travelling by tramways and buses in the city of Calcutta on account of overcrowding.

Mr. MANORANJAN DHAR: Sir, I beg to move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. The reason for my moving this motion is to raise a discussion about absence of grants-in-aid or suitable grants-in-aid for road works and other improvements of the town of Mymensingh (Mymensingh Municipality) and other towns of Bengal.

Mr. RADHA NATH DAS: Sir, I beg to move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. The reason for my moving this motion is to raise a discussion about the Government Road Fund works, purchase of road rollers, grants-in-aid to Calcutta Corporation for road works and improvement of official quarters, improvement of jails and other development programmes.

Dr. SURESH CHANDRA BANERJI: May I now move the motion standing in my name, I mean motion No. 6?

Mr. SPEAKER: I do not think it is necessary to move this motion. If you like you can speak on the subject.

Dr. SURESH CHANDRA BANERJI: Is there any objection to my moving the motion?

Mr. SPEAKER: Yes, because when you were called, you were not found.

Mr. JADABENDRA NATH PANJA: Sir, I beg to move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50 Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. I move this motion in order to raise a discussion about the construction of bridge over Damodar on the Burdwan-Arambagh Road (item No. 120—Original Works Communications) as nothing is being done for some years.

Mr. SHYAMAPADA BHATTACHARYYA: Sir, I beg to move that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. I move this motion in order to raise a discussion about the non-inclusion and making no provision for improvement of roads in Murshidabad.

Mr. HEMANTA KUMAR BASU: Mr. Speaker, Sir, Mr. King, the Development Officer, made out scheme after scheme for the development of roads in Bengal, and those schemes constituted volumes involving great expenditure, but, Sir, they have not been put into effect as yet. You know, Sir, that in some districts schemes were taken up with a view to putting them into execution at great expenditure. Alignment was made and after working out the schemes for some time, alignment was given up and new alignment was taken up. This expenditure is incurred at the poor taxpayers' money. You know, Sir, that the mofussil people suffer greatly from the inconvenience of there being no good roads, especially in the rainy

season. If the officers do not know to select a proper site for alignment and made alignments whimsically and at their sweet will, then those officers should be removed because so far as expenditure is concerned that falls upon the poor tax-payers—the poor people of our country. When the general discussion of our budget took place, I stated that Government had no planned scheme with regard to any important problem facing us today. They have not got a definite scheme in this matter also. Whatever scheme they take up, they take it up piece-meal, and it involves great expenditure. That is why I urge on the Government to appoint such men as have got a definite knowledge about road schemes. Do not import Europeans from outside. Don't appoint men who are not fit, don't appoint your favourites only. Appoint fit men. There are many fit Indians in our country who have got knowledge about road matters. Appoint them and they will be able to carry out suitable schemes.

With these few words I commend my motion to the acceptance of the House.

Mr. KANAILAL DASS: Mr. Speaker, Sir, মাননীয় মন্ত্রী মহাশয় বলে গিয়েছেন যে তিনি কতকগুলি ব্যাপারে enquiry করছেন। যদি সত্যি enquiry করেন ভাল হয়, কিন্তু দেখা যায়, এইসব ব্যাপারে যা খরচ হয় সমস্তই misuse হয়; আমি তাঁকে এক কথায় বলতে পারি টাকা যা খরচ করা হয় তা সমস্তই ব্যভিচার হয়। আমি এখানে ১০৬নং item এর বিষয় কিছু বলতে চাই। এখানে তিনি লিখছেন Construction and Improvement of Provincial Highways, Major District Roads, etc. এখানে উনি প্রায় ৯২,১০,০০০৲ টাকা খরচ করছেন। জানিনা এসব টাকা তিনি কিভাবে খরচ করবেন। আমি বাংলা দেশে বৰ্দ্ধমান জেলার দুই একটা রাস্তার কথা জানি যার অবস্থা ভয়ানক খারাপ হয়ে আছে। বৰ্দ্ধমান জেলার মধ্যে দিয়ে একটা রাস্তা গিয়েছে। সেটা আরম্ভ হয়েছে ঐ আউস গ্রাম থেকে। সেখান থেকে আরম্ভ হয়ে ভাতাড় থানার মাঝখান দিয়ে বরাবর চলে গিয়েছে, গিয়ে শেষ হয়েছে ঐ ভাতাড়ের পাশ দিয়ে। রাস্তাটা কুড়ি মাইল লম্বা হবে। তার অত্যন্ত দুরবস্থা। কিন্তু এ পর্যন্ত কোন রকম step নেওয়া হয়নি যে রাস্তাকে ভাল করা হউক। তারপর দেখা যায় যে বনপাশা থেকে ভাতাড় থানা পর্যন্ত রাস্তা আছে লম্বায় প্রায় ১২ মাইল। সেই রাস্তাটা সবচেয়ে বেশী খারাপ হয়ে গিয়েছে। দেখা যায় রাস্তার মাঝখানে এক হাত দুই হাত গর্ত্ত হয়ে গিয়েছে, আর মাঝে মাঝে এমন অবস্থা যে জল জমে থাকে, পারাপার হবার উপায় নেই, বর্ষাকালে দস্তুর মত সাঁতার দিয়ে পার হতে হয়। এই রাস্তাটা প্রায় ৩০টা গ্রামের পাশ দিয়ে চলে গিয়েছে এবং সেখানে প্রায় ২০ হাজার লোকের ঘরবাড়ী আছে। মন্ত্রী মহাশয়কে অনুরোধ করি তিনি যেন সেখানে রাস্তার জন্য কিছু কাজ করান।

আর একটা কথা বলতে চাই, সেটা হচ্ছে ১০৮নং item. এই itemএ তিনি amount estimate করেছেন প্রায় ৯,০৭,০০০৲ টাকা। তিনি ১৯৪৫-৪৬ সালে খরচ করেছেন প্রায় ৭,৯১,০০০৲ টাকা এবং এবারেও খরচ করতে যাচ্ছেন ৯,০৭,০০০৲ টাকা। আমি একটা কথার কথা বলতে চাই সেটা হচ্ছে এই যে দেখা যায় বৰ্দ্ধমান station এ নেমে, যেখান থেকে রাস্তা আরম্ভ হয়েছে, তার দামোদরের ধার থেকে প্রায় মাইল চারেক পথ রাস্তা নেই বললেই হয়। সেখান দিয়ে গেলে পর ধান জমি, মেঠো পথ, এই সব দিয়ে আমাকে যেতে হয়। ৫ মাইল কি ৬ মাইল পথের মধ্যে চারটে কি পাঁচটা পোল পড়ে। সে সব পোলের অবস্থাও শোচনীয়, অনেক জায়গায় নিশ্চিহ্ন হয়ে গিয়েছে। এই যে রাস্তা হয়েছে এবং এই যে পোলও হয়েছে দেখা যায় যে যখন থেকে তৈরী হয়েছে তখন থেকে আজ পর্যন্ত এতে কোন খরচ পড়েনি যে রাস্তাটা improve করা হবে। আমি জানি এই রাস্তাটা হচ্ছে প্রধান রাস্তা এবং এই রাস্তা আপনাদের বৰ্দ্ধমান জেলার খণ্ডকোষ, রায়না প্রভৃতি থানাকে যোগ করে দেয়, এবং এই থানাগুলির সমস্ত লোক ঐ রাস্তা দিয়ে যায়। এইটাই হচ্ছে প্রধান রাস্তা। এই প্রধান রাস্তার improvement সম্বন্ধে কোন step নেওয়া হয়নি। প্রত্যেক বছর এত খরচ করা হচ্ছে কিন্তু সেই রাস্তার উন্নতির দিকে কোন কাজ করা হোলো না। দেখা যায় এই রাস্তার মাঝামাঝি একহাত দুই হাত গর্ত্ত হয়ে আছে, আর যে সব পুলগুলি ছিল তা নিশ্চিহ্ন হয়ে আছে। আমি মন্ত্রী মহাশয়কে নিবেদন করি যেন এই সব রাস্তাকে ঠিক করা হয় কারণ রায়না এবং ঐ সকল থানা থেকে বৰ্দ্ধমানে আসা যাওয়া করার ঐটাই প্রধান রাস্তা। Mr. Speaker, Sir, আমি এই কথা বলেই আমার এই cut motion টা move করতে চাই।

Mr. KHAGENDRA NATH DAS GUPTA: Mr. Speaker, Sir, কলিকাতার অধিবাসীদের পক্ষে--ট্রাম ও বাসে যাতায়াত কত রকমে যে বিঘ্নসঙ্কুল হয়ে উঠেছে সেদিকে দৃষ্টি আকর্ষণ করাবার জন্য আমার এই ছাটাই প্রস্তাব উত্থাপন করা হয়েছে। কলিকাতার অধিবাসী যারা তারা প্রত্যেকেই জানেন যে বেলা ৮॥ টার পরে ট্রামে বাসে যাত্রীদের সংখ্যা কিরূপ বৃদ্ধি পেতে থাকে, এমন হয় যে মধ্য পথে কারো ট্রামে বা বাসে চড়া অসাধ্য হয়ে ওঠে। লোক footboard এ দাঁড়িয়ে থাকে, পিছনে পর্য্যন্ত ঝুলে থাকে। এ দৃশ্য কলকাতার রাস্তা দিয়ে যাঁরা চলেছেন তাঁরা দেখতে পেয়েছেন। এ অবস্থার দিকে আমাদের ট্রাম কোম্পানী বা বাস Service গুলি মোটেই দৃষ্টি দ্যায় না। বিশেষকরে Government এর গাফিলতি খুবই আছে। গত লড়াইয়ের ফলে কলকাতার জনসংখ্যা বেড়ে গিয়েছে বহু লক্ষ, কিন্তু সেই অনুপাতে জনসাধারণের যানবাহনের ব্যবস্থা বাড়েনি। মনে করা গিয়েছিল যে লড়াইয়ের পরে অন্তত: এই ট্রামের সংখ্যা এবং বাসের সংখ্যা আশানুরূপ বৃদ্ধি পাবে। কিন্তু লড়াইয়ের পর প্রায় বছর অতীত হতে চললো ট্রাম এবং বাসের সংখ্যা বৃদ্ধি পাওয়ার কোন লক্ষণই দেখা যাচ্ছে না। Government এর কাছে বারে বারে Corporation এই ট্রাম কোম্পানীর ট্রামের লাইন কেনবার জন্য আবেদন জানিয়েছিল কিন্তু সেদিকে বাংলার Government কলকাতা করপোরেশনকে সে অনুমতি দেননি। এবং এই ট্রাম কোম্পানীর উপরে অনেকখানি আমাদের কলকাতাবাসী জনসাধারণের যাতায়াত নির্ভর করে। তারা এই জনসাধারণের যাতে সুবিধা হয় সেদিকে দৃষ্টি না দিয়ে কিসে তারা দুটো পয়সা উপার্জ্জন করতে পারবে তার চেষ্টায়ই আছে। গাড়ী বাড়াবার চেষ্টা নেই, যার ফলে আমাদের কলকাতার যারা অধিবাসী এবং প্রতিদিন যাদের আফিসে ছুটাছুটি করতে হয় তাদের আজ আর দুর্দ্দশার অন্ত নেই। ঠিক সময়ে আফিসে পৌঁছানো তাদের পক্ষে কঠিন হয়ে পড়েছে। সাড়ে দশটার আফিসে তাদের ছুটতে হয় সাড়ে আটটার সময় নইলে তারা ট্রাম বা বাসে জায়গা পাবে না। এক ঘণ্টা দেড় ঘণ্টার পরে হয়ত অতি কষ্টে কোনটার মধ্যে উঠলো, তবে যাব,--এই অবস্থা। বাসগুলিরও ঠিক তাই। এই বাস বাড়াবার সম্পর্কে অনেকবার অনেক কাগজে লেখালেখি হয়েছে। Government থেকে হয়ত বলবেন যে বাসের সংখ্যা অনেক বাড়ানো হয়েছে, অর্থাৎ আগে যতগুলি বাসকে Government petrol ration supply করতেন আজকে তার চেয়ে অনেক বেশী bus এর জন্যে তাঁরা petrol supply করেন। কিন্তু আমি Government এর কাছে জিজ্ঞাসা করতে চাই যে তাঁরা এমন কোন খোঁজ নিয়েছেন কিনা যে যতগুলি bus এর জন্য তাঁরা petrol Ration Card issue করেছেন, bus এর সংখ্যা ততগুলি চলতি অবস্থায় আছে কি না। আমি জানি যে অনেক busই এই petrol Coupon নিচ্ছে অথচ চালান দি। এবং petrol এর সেই Coupon গুলি দিয়ে black marketing করে বেশী পয়সা উপার্জ্জন করছেন, আর এদিকে আমাদের জনসাধারণের দুর্দ্দশার মাত্রা ক্রমশ: বেড়েই চলেছে। আমি মন্ত্রী মহোদয়ের কাছে জিজ্ঞাসা করতে চাই যে এমন কোন machinery Government এর আছে কিনা যার দ্বারা তাঁরা বলতে পারেন যে কত bus এর জন্য তাঁরা petrol Coupon issue করেছেন আর কত bus সত্যিকার চলছে। যদি কোন bus চলার পথে খারাপ হয়ে পড়ে থাকে সেই bus repair এর জন্য গিয়েছে তারও হিসাব কিছু আছে কি না। কতগুলি bus repair এর জন্য আছে অথচ petrol এর Coupon issue হয়ে আছে তাদের জন্য, আমি জানি যতটুকু Government থেকে তার কোন হিসাব নেওয়া হয় না। তার ফলে Government যতগুলি bus এর জন্য petrol Coupon issue করেছেন বলে দেখাবেন এবং এতগুলি bus চলছে বলে দেখাতে যাবেন, কলকাতার রাজপথে ততগুলি bus চলে না। আজকাল এই লড়াইয়ের পরে bus এর সংখ্যা ইচ্ছা করলে অনেক বেশী বাড়িয়ে দেওয়া যেতে পারে। Government এদিকে একটু দৃষ্টি দিলে কলকাতার অধিবাসীদের প্রতিদিন এত দু:খ কষ্ট সহ্য করতে হয় না। এই অসম্ভব ভীড়ে আমি জানি কলকাতার অনেক অধিবাসীদের pocket এর টাকা পর্য্যন্ত উধাও হয়ে যায়। এত ভীড়ের মধ্যে দাঁড়াবার জায়গা পায় না, কখন pocket থেকে টাকা চুরি হয়ে যাচ্ছে কেউ কখনও টের করতে পারে না। এই ভীড় যে tram-bus এ হয়ে থাকে এ সম্পর্কে বিশেষ করে বলা বাহুল্য মাত্র, কেননা এখানে যাঁরা উপস্থিত আছেন তাঁরা প্রত্যেকে এই tram এ bus এ দুর্দ্দশার কথা জানেন এবং আমি আশা করি Government এখন যখন এই যুদ্ধের পর প্রায় বছর অতীত হতে চললো তখন ইচ্ছা করলেই এই দুর্দ্দশা দূর করতে পারেন। এবং আমি আশা করি যে Government এর পক্ষে যাঁরা সদস্য এখানে উপস্থিত আছেন তাঁরাও এই মন্ত্রী সভাকে বাধ্য করবেন—বিশেষ করে এই বিভাগীয় মন্ত্রীকে যেন এই দুর্দ্দশা অনতিবিলম্বে দূর করতে তিনি বদ্ধপরিকর হন। এই বলে আমি আমার প্রস্তাব উত্থাপন করছি।

Mrs. NELLIE SEN GUPTA: Mr. Speaker, Sir, I wish to raise a discussion about the roads and bridges in rural areas in Chittagong. In Chittagong town there are some good roads. The military needed the roads for the war and therefore they kept them in very good conditions. The Chittagong tax-payer paid for the roads and they are now enjoying some roads which are still in good condition. But I want to speak about the condition of the roads in the village area which are an absolute disgrace. I may be told that these are matters of the district board or of the union boards. If that is so, I bring the matter up here because I feel that the Government must take this matter in hand. Just before the rains some earth is thrown on what is called a road from the sides and what happens is that immediately the rains come, one slips in ankle-deep or even knee-deep into the mud. The Government have spent or are spending a lot of money on jeeps so that their officers may go into the interior to see the condition of the people in the villages. But if the roads are not repaired it would be impossible for the jeeps to go into the interior of those villages. Even if there are some roads which are passable now, sooner or later, and certainly sooner, he will come across a bridge which is dangerous even for a man to pass over and much more dangerous for a jeep to pass over. In my own village a travelling eye dispensary was stationed for some months. The idea was that they would stay for a long period but a month or so ago I got a letter from the headquarters saying that the doctor and the assistants find it impossible to go knee-deep from the houses where they were staying to the dispensary. It shows how much the people have to suffer. I do feel that the district board and union boards should be made to see that these roads are kept in proper condition. There are plenty of roads where jeeps can go along but that does not mean that the officers will get to the interior. One can go from Chittagong to Cox's Bazar, a hundred miles on good road but for many miles one does not see a soul and it will be absolutely useless so far as the welfare of the people is concerned. I would remind the Minister that in Chittagong there are many more Muslims than Hindus. So it is to their interest to see that those roads are kept in proper condition.

There were many bridges on their last legs even before the floods and I am sure that many of those have disappeared entirely. I would ask the Government to see that roads, decent roads, are made for the people to walk along.

Mr. RADHANATH DAS: Mr Speaker, Sir, in moving my cut motion first of all I want to take up the question of Road Fund works of the Government. Government have said that due to war Road Fund works were kept in abeyance, as also due to non-availability of materials. But I see from the actuals of last year that Government had spent about Rs. 11 lakhs 72 thousand. I think that does not mean that Government practically did not take up any works from the Road Fund last year.

Sir, with regard to Road Construction, we find from Appendix B of the Red Book that Government will take up about 17 items so far as construction and improvement of roads are concerned, but I am at a loss to understand why Government are not taking up any improvement and construction of roads so far as my district, and constituency is concerned. In my district there is a road—old Benares Road—running through a very big area and that road is in a very dilapidated condition, specially between Chanditala and Sheakhala. From the year 1935 very many representations have been made and even recently another representation has been made to the Government of Bengal, but I can not understand why all those representations have fallen on deaf ears of the Government. Year after year the Government did sanction several thousands of rupees for the repair of that road but unfortunately not a single farthing was spent so far as the repair works of that road are concerned. Beginning from the year 1941-42 to the year 1945-46 Government did sanction an amount totalling Rs. 4,31,893, but not a single farthing out of that has been spent up till now. In those representations of all the villagers of that locality and merchants of that

locality and of many Chambers of Commerce it has been said that that road is very impassable and not to speak of pedestrians, villagers and merchants, but also to vehicular traffic. It becomes so muddy during the time of rainy season that it becomes impossible for people of that locality to pass and the difficulty of the people knows no bound and it can better be imagined than described.

Government also said sometime in 1943-44 that a portion of the road between Sheakhala and Chanditala will be metalled, but I understand from a report recently that that road will not be metalled; only it will be repaired in part with earth. If that be the case, the suffering of the people will know no bound and they will suffer to a considerable extent.

Then, Sir, another road between Tarakeswar and Baidyabati, a distance of about 20 or 25 miles, is one of the most important roads in my constituency. There is a market -Tarakeswar market - on one side and there is another market—Sheoraphuli market—on the other side. These two markets are very important. If this road is not made passable not only to pedestrains but also to cars and vehicular traffic, no business can be carried on because the merchandise and goods cannot be brought to the market through this road. These are the difficulties so far as the people of that locality is concerned, and it being in my constituency and I being a representative of that area, I would request the Government to take into consideration the above points with a view to taking up the repair of that road quickly.

Then, Sir, with regard to the item of purchase of road rollers, I should say that Government have followed a very deplorable policy so far as the acquisition of road rollers is concerned. First of all, take the instance of the Calcutta Corporation and afterwards take the instance of District Boards. From the Calcutta Corporation they had acquired 33 road rollers and now they have given back to the Calcutta Corporation only 30 road rollers. Three road rollers have been kept back. Most of the road rollers are broken and damaged and Government have given as compensation only Rs. 10,000, whereas the property damaged is worth Rs. 23,000. So I say that the Government's policy so far as the matter of road rollers is concerned is practically deplorable. Such is also the case with the District Board of Hooghly. Government have acquired 4 road rollers from the said District Board. They had requisitioned the four road rollers under the Defence of India Rules and they have not returned them yet. Only they have given a few thousand rupees and have asked them to purchase these road rollers at their own cost. At the present moment it is very difficult to purchase road rollers because the price of these road rollers is very high.

Now, Sir, with regard to the question of improvement of jails, Government have suggested that there will not be improvement but there will be construction of new jails. In Appendix B of the Red Book, at page 123, Government have stated that they are going to construct a new Central Jail at Dum-Dum and open a Special Jail at Berhampore, and so on. So the construction of new jails does not mean improvement of jails. Improvement of jails, I think, means ameliorating the condition of convicts and those who are sent to jail, but practically speaking there is no improvement. They are only playing with words by saying that it is improvement of jails.

(At this stage the member having reached the time limit resumed his seat.)

Mr. SHYAMAPADA BHATTACHARYYA: Mr. Speaker, Sir, Bengal is perhaps the only province in India where people suffer the most for lack of communications. In the past as well as in the present nobody has paid any attention to this. As a consequence Bengal is lagging behind all other provinces. Absence of good roads was for the first time felt during the recent wars and improvements were effected here and there to assist troop movements. Murshidabad district, however, remains where it was before. There are nearly 1,000 miles of *kutcha* roads and 90 miles of metalled roads but their conditions are deplorable. The fair weather roads as they are

called are impassable for six months in a year and they are turned into what we may call Sarbonian Bogs during the rains. Even bullock carts cannot wade through this quagmire. Even these could be repaired during the last six years and hardly Rs. 10,000 could not be spared to fill up the pits and ruts which have gradually been widened into ponds where the new development of fisheries can carry on their experiments.

The condition of the metalled roads can very well be imagined than described within the jurisdiction of Beldanga and Nauda police-stations. There are areas which are turned into so many islands cut off from the civilised world. Bharatpur, a police-station within Kandi subdivision, is isolated from the subdivisional centre. People living on the eastern part of the district depend for most part of the year on exports from Kandi and Lalbagh subdivisions; but during the rainy season their lot is miserable and unless they put by a sufficient quantity for the rainy days, they have to starve. The nearest railway station from these places is 30 miles. Unless the communication is improved it is useless to talk of movements of food, cloth and other necessities of life; you cannot carry on your campaign of "Grow More Food", "go at development", and you cannot procure rice.

Government is realising Rs. 27,60,000 as motor spirit taxes but although subventions were allowed to the local bodies in the past from these taxes, the practice has been discontinued and although we are hearing much about the improvement of roads the claims are being utterly neglected and we still live in the days of bullock carts.

I press forward the claims of these roads which are the main communicating roads besides other fewer roads, viz., the road from Jalangee to Berhampore, Krishnagar Road connecting the headquarters of the two districts, Nadia and Murshidabad, Badshai road dating from the time of the Moghul Emperors. This road begins from Birbhum, stretches up to Cuttack and passes through Midnapore and Burdwan. This road is full of tanks but these have been neglected and the road has been converted into culturable land. There is another road Ramnagar-Dhulian road. This road begins from the extreme north to extreme south of the district These are the roads for which I press my claim.

Although there is a statement to the effect that a sum of Rs 56,67,000 has been received from the Central Government to be spent on provincial highways and district roads, in the detailed statement Murshidabad's share is negligible. Only the portion which was taken up during the early part of war for facilitating movements of the army and which was evidently abandoned has again been put in the programme. Badshai road which I have already mentioned with tanks on its flanks at every mile and which stretches up to Cuttack may well serve the purpose of a provincial highway.

Mr. RAMHARI ROY: Mr. Speaker, Sir, if honourable members have gone through the budget estimate of Provincial Civil Works they may have noticed that the present Government is going to expend Rs. 1,76,34,000 for Provincial Original Works in communications in the Bengal Presidency. Further Government has allotted Rs. 65,000 for original works in communications under grants-in-aid and members may have noticed that from the surplus from motor vehicles tax Rs. 2,04,000 can be spent on communications. So, if members calculate these they will find that nearly 2 crores of rupees are going to be spent on original works and communications by this Government.

Sir, it is very unfortunate that not a single pie has been allotted for the district of Malda. It seems to me that to the present Government Malda is a no man's land. I think it is the deliberate policy of the present Ministry not to take into consideration the requirements of the different districts for communications and works. I can tell the honourable members here that if they had taken into consideration the requirements of the different districts they could have done real service to the different districts. So far as

communication in Malda is concerned, I can tell you, Sir, that the first and foremost necessity of the district is a bridge over the Mohananda at Malda town. In the last election when I toured different parts of the district it was demanded: "Well, you are going to the Assembly. What you have to do is to see to the construction of a bridge over the Mahananda." I think, Sir, that what I of the Opposition say on this point is known to the members from Malda on the Government side and they have also visited the different parts of the district at the time of election and they must have heard the same demand from their constituencies. Therefore, I would urge upon the present Government to take note of this important bridge over the Mahananda and take speedy action in this matter I can say, Sir, that if anyone had the occasion rather the misfortune to go to Malda town he must have known the difficulties, troubles and inconveniences that he has to undergo in order to enter the district town of Malda. Perhaps it is the only unfortunate district town not only in Bengal but in India as well where a man has to suffer such inconveniences and troubles and hardships and pecuniary expenditure. Sir, I can tell you that ferry is often a nuisance. Often one has to stand by the side of the river for an hour or so to cross the river. One becomes drenched in the rains or scorched in the sunshine. The only conveyance is the cycle rickshaw for which the charge is Rs. 2 to carry him to the town which is a mile or a mile and a half from the station. If he has bigger luggages he has to spend Rs. 4 to enter the town, a sum by spending which a man can come to Calcutta by train if he travels in third class.

Sir, this is the position of communication in the district I learn that some five or six years ago, the Road Board Fund of the Central Government allotted a sum for the construction of a bridge over Mahananda at Malda town. But unfortunately war broke out and the whole thing was massacred. Now the war is over. I know that even at that time arrangements were made to requisition land for purposes of construction of the bridge. Now that the war is over it is time for the provincial Government to see that this requirement, rather the necessity of the Malda district, is met very soon.

With these words, Sir, I commend my cut motion to the acceptance of the House.

Mr. JADABENDRA NATH PANJA : Mr. Speaker, Sir, আমি cut motion সম্বন্ধে বলতে চাই যে, বর্দ্ধমানের নিকট দামোদরের bridge সম্বন্ধে আজ কয়েক বৎসর ষোলো টাকা sanction হয়ে আছে, কিন্তু ঐ সম্বন্ধে কোন কাজ হয়নি। এই বর্ষাকালে বর্দ্ধমানের সঙ্গে তিনটি থানার যোগসূত্র একেবারে ছিন্ন হয়ে যায়। এই দামোদরের পুল না থাকার ফলে বর্দ্ধমানের সঙ্গে রায়না থানা, খণ্ডঘোষ ও জামালপুর থানার যোগাযোগ থাকে না। এখানকার পুল হওয়াটা খুবই বাঞ্ছনীয় এবং খুবই প্রয়োজনীয়। এই পুলের ভিত্তিস্থাপনের সময় খুব জাঁক-জমকের সঙ্গে অনুষ্ঠান হয়েছিল, বাংলার লাট সাহেবের দ্বারা ভিত্তি স্থাপন করা হয়েছিল কিন্তু সেই আদি—সেই অন্ত, তারপরে আর কিছু করা হয়নি। কাজেই আজকে আমি মন্ত্রী মহোদয়ের দৃষ্টি আকর্ষণ করছি যেন এই কাজটা শীঘ্রই হাতে নেন এবং সম্পন্ন করেন। লোকে একথা যেন না বলে যে it was begun in flash and ended in smoke.

Mr. A. C. WALTON: Sir, I would like to say a few words in regard to the Hon'ble Minister's proposal for roads. It has long been realized by every one that Bengal is very ill-equipped with one of the most vital means of communication, namely, good roads. About 80 *per cent.* of Bengal's existing roads are impassable except to foot traffic, during the greater part of the year. For this reason Government deputed Mr. King, a senior P. W. D. officer, to carry out a survey and prepare a comprehensive scheme for the development of roads in the province. Mr. King submitted his report some 8 years ago and it was probably one of the most comprehensive surveys ever made. Unfortunately war intervened before the plan could be implemented and there has instead been a serious deterioration in the condition of roads of the province during the war years. The Post-War Road Plan which is

part of the Provincial Reconstruction scheme has been largely based on the King Report. Briefly the plan aims at a road reconstruction scheme involving nearly 30 thousand miles of roads during the next 20 years at a cost of 100 crores of rupees. During the first five years it is aimed to complete about 7 hundred miles of road per year, and the mileage to be constructed is as follows:—

			Miles.
National Highways	...	...	899
Provincial Highways	...	...	1,921
Major District Roads	...	...	772
Other District Roads	...	...	14
Village Roads	...	...	15

Now, the figures for other district and village roads appear to be extremely small, and there is a general feeling that before major work connected with national highways is undertaken, it would be preferable to speed up construction of village roads which could give the villager access to his markets, and prevent him from being cut off from the outside world for many months of the year. I should like to press for a much greater mileage of village road construction which does not necessarily entail the use of equipment and material which are still in short supply, and other primary essential is to repair the existing roads before their complete reconstruction becomes necessary. Provision for repairs has been increased by rupees twenty lakhs only and grants-in-aid to local bodies show a decrease instead of an increase. It is appreciated that during war years there was no material or equipment to maintain even the major Public Works Department roads unless they were of strategic importance. District Board roads suffered even more, and I should like to ask the Hon'ble Minister whether it is Government's intention to take over these roads and maintain them as is the case with certain other provinces. If so, provision should have been made in the budget for the heavy expenditure which will be necessary on repairs to these roads. If, on the other hand, Government did not intend to take over these District Board roads then a substantial increase in grants-in-aid to District Boards should have been made to enable them to do the work themselves. I should also like to know how much Government have recovered from the Government of India towards repairing the damage caused to the roads by military traffic. Sir, in the Red Book it is stated that as the war has come to an end the Government of India will not bear any further charges on this account. Does the Minister intend to press for further contributions?

There is a provision for expenditure of 21½ lakhs of rupees on Road Fund Works held in abeyance during the war and I would like to draw the attention of the Hon'ble Minister to an important omission in Appendix B of the Red Book, namely, the reconstruction of the old Benares Road between Chanditala and Sheakhala. This was approved by the Government of India as Road Fund project as far back as 1938, and provision was made for a considerable expenditure in 1940-41 and 1941-42. I understand that Rs. 71,500 was actually spent. Its reconstruction is regarded as of considerable importance; as it will run parallel to the new Calcutta-Delhi highway, and as the Public Works Department are not likely to start any new road for several years I would like to press for the reconstruction of this road, namely, the road between Chanditala and Sheakhala. I regard it as most important that the policy regarding construction of national highways and feeder roads should be clarified. No detail is given in the budget regarding the proposal for Rs. 92 lakhs, on new roads, and while every one hopes that Government can spend this money, it seems very doubtful that a department which was unable to spend 30 lakhs of rupees in any previous year should be able to spend rupees 92 lakhs now in the face of the shortage of equipment and material. I would also ask the Hon'ble Minister whether an improvement has been made in the supply of technical trained personnel.

It has been declared that in the Post-War Reconstruction Plan the cost of the national highways will be borne by the Government of India, and this should be designed to run across rather than parallel to the main river system. I regard it as of paramount importance to avoid duplicating the systems of communication for the province in such dire need of new roads. I would refer in this connection to the proposed railway line from Faridpur to Barisal and Dacca to Aricha. In the case of Faridpur-Barisal, a road is provided for in King Plan, but I understand that it is not considered of high priority. The cost of the construction of railways there will be very high and their maintenance cost probably the highest in India, except possibly in certain hill sections. The project would be faced with the most intense competition from other transport media, as for example, country boats, steamer services, etc. It is unlikely to be a commercial proposition. The Dacca-Aricha railway project has been under consideration for the last 60 years, and it has been consistently turned down by the Health and Irrigation authorities on the ground that the embankment would interfere with the spill water from the Dhaleswari river. The construction of railway lines here would be very expensive owing to the large number of rivers to be crossed and the water-logged nature of the ground. I understand that in the Post-War Plan national highways are designed to run from Calcutta to Chittagong and possibly on to Burma, and this will pass through Aricha and Dacca north of the Dhaleswari which, it is hoped, will not interfere with the natural drainage and spill waters. I appeal to the Government that a decision should be reached in respect of this all-important question of road-rail competition generally in Bengal. In many cases a good network of roads can provide an alternative means of communication at very much less cost, and in the interest of conserving national resources very careful consideration must be given to the factors in favour of the railways and the roads. At best they are both necessary as complementary forms of communication, but we must avoid duplicating them and giving rise to unnecessary competition between various forms of transport.

Mr. HASSAN ALI: Mr. Speaker, Sir, the district boards have been given the name of "self-governing institutions" and that the district boards have been functioning under a self-governing Ministry. Anyhow, Sir, the name given is a very bad one, and everybody wants to hang the district board by giving this name to it. The matter has come to such a pass that it seems that nobody wants to give his serious thought as to how these self-governing bodies can be improved, especially in the matter of administration and communication. Everybody knows that the district boards have got very limited resources with which it is well nigh impossible for them to meet all the crying demands. The demands for more medicine, more education, better health and more roads are daily increasing. The result is that the district boards cannot cope with the situation. Everybody knows, Sir, that the position of district boards in this respect is worse than the position of union boards. The union boards can levy taxes if they will but the district boards cannot. The district boards must go on in their old stereotyped ways with their limited and slender income. During the war roads have become in certain cases most hopelessly damaged by the military. There cannot be any doubt therefore that certain district board roads require improvement very immediately. My suggestion to the Government would be that Government should place funds in the hands of the district boards for that purpose by way of a subvention. Unless it is done, I believe in no time the traffic in mofussil areas would be at a standstill. In my own district the conditions of certain important roads, the road from Dinajpur to Balurghat, that from Dinajpur to Thakurgaon, that from Dinajpur to Rajganj, those from Dinajpur to Gangarampur and to Birganj and other important places have become so bad that unless Government comes forward with help within a short time, the traffic, specially the cart traffic, would be stopped. The district board with its slender income is not in a position to do anything. You know very well, Sir, that the cost has at present

increased by four times than before and you know also that times without number the District Boards Association, Bengal, brought to the notice of Government the fact that without substantial subvention things cannot be cured and yet no aid has even now been given by Government. The district board has been a target of attack from all sides, from right, from left, from above and from below. On a slight jerking that an officer of Government would experience from the rugged roads, the *burra sahib* of the district will write letters of complaint to the Chairman to this effect: Dear Maulvi Saheb—for that has been the mode of communication in addressing the Chairman of the District Board—your roads are very bad; the Commissioner had got a very bad jerking on such and such a day at such and such a place. When a luxuriant B.P.S. car of the District Magistrate gets a jerking on a district board road when running to and from any subdivisional headquarters town, he will at once complain that the district board administration is very bad. But, Sir, everybody forgets his own job and forgets to know the difficulties of others.

Mr. MAHAMMAD SAYEED MIA: মাননীয় স্পীকার মহোদয়, মাননীয় মেম্বর রামহরি রায় মালদহে মহানন্দা নদীর উপর ব্রীজ নির্ম্মাণের দাবী করিয়া একটা cut motion আনিয়াছেন। এই ব্রীজের প্রয়োজনীয়তা সম্বন্ধে বলিতে গেলে, মালদহের অতীত ইতিহাস সম্বন্ধে কিছু বলা দরকার বলিয়া মনে করি

সুদূর অতীতে হিন্দু ও মুসলমান রাজত্বের আমলে বাংলা দেশ তাহার বিপুল ধনসম্ভার ও শস্য সম্পদ ও সুখ সৌভাগ্যের জন্য সোনার বাংলা বলিয়া কথিত হওয়ার গৌরব লাভ করিয়াছিল এবং এই ধনৈশ্বর্য্যের কেন্দ্র হিসাবে মালদহের ইতিহাস-প্রসিদ্ধ গৌড় ও পাণ্ডুয়া নগরী শতাব্দীর পর শতাব্দী ধরিয়া এই সোনার বাংলার রাজধানী বলিয়া পরিগণিত ছিল। এই প্রসিদ্ধ গৌড়-পাণ্ডুয়ায় অতীতের নানা কীর্ত্তি ও গৌরবময় ধ্বংসাবশেষ আছে এবং সাধু ও পীর দরবেশের পুণ্যস্মৃতি বিজড়িত বলিয়া এই পবিত্র তীর্থ দর্শনে দেশ বিদেশ হইতে মালদহে প্রতি বৎসর লক্ষ লক্ষ যাত্রীর সমাগম হইয়া থাকে। বর্ত্তমানে ইংরেজবাজার টাউন এই মালদহ জেলার একমাত্র বড় সহর।

Mr. SPEAKER: It seems like a thesis which is irrelovant.

Mr. MAHAMMAD SAYEED MIA: ইংরেজবাজার টাউন মহানন্দা নদীর তীরে অবস্থিত, এই টাউনের প্রায় তিন দিকেই মহানন্দা নদী। নদীর অপর পাড়ে মালদহ ষ্টেশন ও কাটিহার গোদাবাড়ী লাইন মালদহ যাত্রী ও মালদহের জনসাধারণ নদী পারাপারের জন্য মহানন্দার উপর একটি অতি প্রয়োজনীয় ব্রীজের অভাব বহুদিন যাবত তিক্ত অভিজ্ঞতার সহিত অনুভব করিয়া আসিতেছে। ফেরীর নৌকা যোগে দৈনন্দিন অসংখ্য যাত্রী যানবাহন, জীবজন্তু ও মাল পারাপারের দরুণ ভীড় বশতঃ বহু ধনপ্রাণের হানী এবং অপূরণীয় সময়ের অপচয়, শক্তিক্ষয় ও অর্থ ব্যয় হইয়া আসিতেছে। বর্ষার সময় ভরা নদীর উত্তাল তরঙ্গের মধ্যে শঙ্কাকুল যাত্রীভরা নৌকায় দিনে ও রাত্রে নদী পারাপার হওয়া যেমন বিপজ্জনক, তেমনি গ্রীষ্মের সময় শুষ্কপ্রায় নদীর সরু জলভাগ কোন প্রকারে নৌকায় পার হইয়া সুদূর প্রসারী জল কর্দ্দমময় নদীর চরের উপর হাঁটিয়া অথবা যানবাহন ঠেলিয়া পথ চলাও তেমনি দুঃসাধ্য ও কষ্টকর। কলিকাতার পক্ষে হাওড়া ব্রীজের অভাবে যেমন একটা দিনও চলা অসম্ভব, একটি ক্ষুদ্র জেলা হিসাবে মালদহের পক্ষেও মহানন্দা ব্রীজ তেমনি অপরিহার্য্য।

আজ এই বিংশ শতাব্দীর চরম সভ্যতার যুগেও বাংলার রাজ কর্ত্তৃপক্ষগণ মালদহের অতি প্রয়োজনীয় এই মহানন্দা ব্রীজের অভাব দূর করার বিন্দুমাত্র চেষ্টা না করিয়া মালদহকে বাংলার অন্যান্য জেলা ও দেশ বিদেশের সঙ্গে সহজ ও অবাধ যোগাযোগের সুবিধা এবং ব্যবসা বাণিজ্যের সৌভাগ্য হইতে বঞ্চিত করিয়া রাখিয়াছেন। বৎসরের পর বৎসর ধরিয়া কত মহামান্য লাট বাহাদুর, লাটের মন্ত্রী ও উচ্চ রাজকর্ম্মচারিগণ মালদহে পদার্পণ করিয়া মালদহবাসীর করুণ আবেদন-নিবেদন ও আকুল প্রার্থনায় নিতান্ত দয়াপরবশ হইয়া বড় বড় আশার বাণী শুনাইয়াছেন ও মহানন্দা নদীর উপর ব্রীজ নির্ম্মাণ করার আশ্বাসও দিয়াছেন, কিন্তু মালদহ যে তিমিরে সেই তিমিরেই রহিয়া গিয়াছে। বর্ত্তমান বৎসরের বাজেটে মাননীয় মন্ত্রী মহোদয় বাংলার বিভিন্ন জেলার বড় বড় নূতন পরিকল্পনা কার্য্যকরী করার জন্য বহু টাকা বরাদ্দ করিয়াছেন, কিন্তু মালদহের এই অত্যাবশ্যক ও অপরিহার্য্য মহানন্দা ব্রীজ নির্ম্মাণ পরিকল্পনা সম্বন্ধে বাজেটে বিন্দুমাত্র আভাসও দেন নাই।

গভর্ণমেণ্ট পার্টির মেম্বর হিসাবে আমাকে বাজেট পাশের জন্য ভোট দিতে হইবে তাহা আমি জানি কিন্তু আমি বলিতে চাই যে, মাননীয় মন্ত্রী মহোদয় যিনি আমাদের প্রতিনিধি হিসাবে সংশ্লিষ্ট বিভাগের জন্য দায়ী রহিয়াছেন, তিনি মালদহবাসীর উক্ত দুঃখ-দুর্দ্দশা নিবারণের জন্য বিশেষ কিছুই করিতেছেন না।

Mr. SPEAKER : I must remind you that you are to speak on the communication budget and not on the general discussion of the budget.

Mr. MAHAMMAD SAYEED MIA : মহানন্দা ব্রীজ পরিকল্পনা সম্বন্ধে মন্ত্রী মহোদয়, বর্ত্তমানে বা অদূর ভবিষ্যতে কি প্রতিকারের ব্যবস্থা করিতেছেন তাহা জানাইয়া মালদহের বিক্ষুব্ধ জনতাকে শান্ত করিবার সুযোগ দিবেন বলিয়া আমি আশা করি।

Mr. MANINDRA NATH BHATTACHARYYA: মাননীয় Speaker মহোদয়, বাজেটে অনেক রাস্তাঘাটের কথা বলা হয়েছে, কিন্তু আমি বিশেষ করে ঢাকা-আরিচা রোডের কোন উল্লেখ না দেখে আশ্চর্য্যান্বিত হয়েছি। আজকে এই বিমানের যুগেও কলকাতা থেকে ঢাকা যেতে ১৫ ঘণ্টা সময় লাগে। যদি ঢাকা-আরিচা রোড তৈরী হয় তাহ'লে গোয়ালন্দ থেকে ঢাকা যেতে ৮।১০ ঘণ্টা মাত্র সময় লাগবে। তার মানে হচ্ছে কলকাতা থেকে রাত্রি ১০টায় রওনা হলে যেখানে পরের দিন বেলা তিনটায় আমরা ঢাকা পৌঁছাতে পারি, সেখানে ঢাকা-আরিচা motor road হলে আমরা তার ছয় ঘণ্টা আগে ঢাকা পৌঁছাতে পারবো। এই বিমানের যুগে পশ্চিম বাংলার প্রাণ-কেন্দ্র কলকাতা থেকে পূর্ব্ব বাংলার প্রাণ-কেন্দ্র ঢাকা যেতে যদি এত সময় লাগে, সামান্য একটা রাস্তা তৈরী করলেই অনায়াসে সেই কষ্ট ভোগ থেকে বাঁচা যেতে পারে, কিন্তু আমাদের মন্ত্রী মহাশয় সেদিকে দৃষ্টি মাত্র দেননি। Mr. Speaker, Sir, এই ঢাকা-আরিচা রাস্তা সম্বন্ধে একটা ইতিহাস গড়ে উঠেছে। প্রায় ৩০ বৎসর যাবৎ এই প্রস্তাব হয়েছিল, ঢাকা-আরিচা রেল রাস্তা হওয়ার। কিন্তু পরাধীন দেশ আমাদের, আমাদের এই দেশ শ্বেতাঙ্গ বণিক সম্প্রদায়ের স্বার্থে পরিচালিত। তাই ঐ steamer companyর ষড়যন্ত্রের ফলে একবার যদিও ঢাকা-আরিচা রেল লাইন হবে বলে স্থির হয়ে গিয়েছিল তবুও শেষ পর্য্যন্ত তা সম্ভব হয়ে উঠে নাই। তারপরে আবার ডিষ্ট্রিক্ট বোর্ড থেকে ঢাকা-আরিচা motorable road হওয়ার কথা ছিল। Special Officer নিযুক্ত করে সমস্ত রাস্তাটা কোন জায়গা দিয়ে যাবে তার নির্দ্দেশ, কোন কোন জায়গায় bridge হবে সমস্ত ঠিক হয়ে গিয়েছিল, কিন্তু যুদ্ধের ওজুহাতে এবং অন্যান্য ওজুহাতে এবং শোনা যায় যে ঐ steamer companyর তলে তলে তদ্বিরের ফলে সে রাস্তাও আবার পরিত্যক্ত হয়েছে। মাননীয় Speaker মহোদয়, এখানে সকলে হয়ত জানেন ঢাকা জেলার এই যে রাস্তার প্রস্তাব এই রাস্তাটা মানিকগঞ্জ subdivisionএর মধ্যে দিয়ে যাবে। মানিকগঞ্জ subdivision ঢাকা জেলার পশ্চিমের অংশ এবং মানিকগঞ্জ সহর ঢাকা থেকে ৩২ মাইল দূরে। আজকে এই বর্ত্তমান যান-বাহনের সময়ও ঢাকা থেকে মানিকগঞ্জ যাওয়ার কোন বিশেষ বন্দোবস্ত নাই। সন্ধ্যা ৬টায় রওনা হ'লে সমস্ত রাত্রি steamer ভোগ করে পরের দিন আপনারা মানিকগঞ্জে যাবেন। কিন্তু এক দিনে যাবেন, কি দুই দিনে যাবেন, কি তিন দিনে যাবেন তার কোন ঠিক নাই। একটা steamer company আছে। Steamer কোন দিন ইচ্ছা হলো চলে, কোন দিন ইচ্ছা হোলো চলে না। কোন দিন steamer stationএ লাগিয়ে passenger নেয়, কোন দিন হয়ত ১০০ passenger আছে, কিন্তু তবু সমস্ত passenger ফেলে চলে গেল। এবার vote নির্ব্বাচনের দিনে মানিকগঞ্জ থেকে ballot box যাওয়ার সময় মানিকগঞ্জের S D O. সাহেব আগে থেকে steamer companyকে notice দিয়েছিলেন যে অমুক তারিখে এতগুলি ballot box যাবে। Stationএ পুলিশ পাহারা ছিল। steamer ballot box না নিয়েই চলে গেল। ফলে হলো সেদিন আর vote গণনা হলো না। কত যে বিপদ তার অন্ত নেই।

তারপরে ঢাকা-আরিচা রোডের সম্বন্ধে শুনেছি National Highways post-war reconstruction হিসাবে নির্ম্মিত হবে। কিন্তু সেখানেও দেখছি, যদিও গত বছর তার একটা survey হয়েছিল কিন্তু নানাভাবে সেই পূর্ব্বে যে survey করে রাস্তা ঠিক হয়েছিল তাকে বাতিল করবার জন্য এবং নানা প্রকার দেরী করবার জন্য, হয়ত স্বার্থান্বেষী ঐ ইংরাজ steamer companyর স্বার্থেই বা অন্য কোন স্বার্থের জন্য আবার চেষ্টা হচ্ছে। হঠাৎ সেই যে নূতন survey হচ্ছিল তাও বন্ধ করে আবার ঐ রাস্তা বন্ধ করে দেওয়ার চেষ্টা হচ্ছে। যদি আজিকার এই দ্রুত যান-বাহনের দিনেও বাংলার প্রাণ-কেন্দ্র কলিকাতা থেকে ঢাকা যেতে ১৫ ঘণ্টা সময় লাগে তাহলে অতি দুঃখের বিষয়।

Mr. KHAIRAT HOSSAIN: মিঃ স্পীকার, স্যার, বর্ত্তমান বাজেটে যে ৬,২৪,৮১,০০০ টাকা খরচের জন্য বরাদ্দ হয়েছে সে সম্বন্ধে আমি কিছু বলতে চাই। যে মোট টাকা মন্ত্রী মহোদয় দিয়েছেন, ছয় কোটি ২৪ লক্ষ ৮১ হাজার টাকা, তার মধ্যে road developementএর জন্য দেখা যায় তিনি দিয়েছেন মাত্র ৩ কোটি ৫১ লক্ষ টাকা। এ দিকে দেখা যায় তিনি পুলিশ এবং অন্যান্য দিকে ঢের বেশী টাকা খরচ করছেন।

যুদ্ধের সময় যা খরচ করা হয়েছিল তার চেয়ে এবার টাকা বাজেটে ধরেছেন অনেক বেশী। যুদ্ধের সময় শিক্ষার বাবদ যে টাকা খরচ করা হয়েছিল, এবার তিনি টাকা ধরেছেন তার চেয়ে ঢের কম। অর্থাৎ ১৯৪৫-৪৬ সালে পুলিশ ইত্যাদিতে তিনি ব্যয় করেন ২৫ লাখ টাকা, কিন্তু এবার তিনি খরচ করছেন ৪৭ লাখ টাকা। আর Education, Public Health ইত্যাদির জন্য ১৯৪৫-৪৬ সালে খরচ করেন ১৭ লক্ষ টাকা। কিন্তু এবার মাত্র ১১ লক্ষ টাকা ঐ খরচের জন্য ধরা হয়েছে। এই জিনিষটা যদি তিনি একটু আলাদা করে দিতেন তাহলে ভাল হতো। এখন এই যে ৩ কোটি ৫১ লক্ষ টাকা road developement কাজের জন্য ব্যয় হয় তার অধিকাংশ, অর্থাৎ প্রায় তিন কোটি টাকা contractorsএর কাছে যায়। এবং দেখা যায় যে, যতগুলি contractors আছে তারমধ্যে মুসলমানের সংখ্যা খুবই নগণ্য। আর যদি হিন্দু ও মুসলমান contractorsএর সংখ্যা একত্র করি, তাহলে এ সমস্ত, ইহুদী, ইংরাজ ও Burmese firms এর তুলনায় বোধ হয়, বাঙ্গালী হিন্দু এবং মুসলমানের সংখ্যা খুবই কম। এবং এই সংখ্যা যাতে আরও কম থাকে তার জন্য তাঁরা নানা রকম উপায় ও ফন্দি আবিষ্কার করছেন। পূর্ব্বে এ রকম কোন নিয়ম ছিল না যে, এই contract নিতে হলে security money বা earnest money দিতে হবে। কিন্তু দেখা গেল যে, যখন বাঙ্গালী contractorsকে এই Departmentএ কাজ করবার জন্য প্রস্তাব গ্রহণ করা হ'ল, তখন এই সমস্ত নিয়ম-কানুন ঢুকিয়ে দিলেন। ফলে হ'ল এই যে, security deposit বা earnest money দিলেও অনেক contractors সেই সমস্ত কাজ পায় না। তারপর আর একটা নিয়ম আছে যে lowest tender দেয় সেই সাধারণতঃ contract পেয়ে থাকে। কিন্তু বহু ক্ষেত্রে দেখা যায় যে, lowest tender দেওয়া সত্বেও তাকে কাজ দেওয়া হয় না। যেমন একটা দৃষ্টান্ত—additional work for Haringhatta একটা English companyকে দেওয়া হয়েছিল ১৬ হাজার টাকায়, অথচ যাদের lowest tender ছিল তাদের contract দেওয়া হয়নি। এবং দেখা যায় যে, অনেক সময় tender call না করেও অনেক unregistered firmsকে কাজ দেওয়া হয়। যেমন Writers' Building extensionএর কাজ দেওয়া হয়েছে Shaw & Coকে। এরা registered contractor পর্য্যন্ত নয়। Additional work for Haringhatta এটা দিয়েছেন Alliance Co.কে। সুতরাং দেখা যাচ্ছে যে, যে সমস্ত নিয়ম-কানুন আছে সেগুলি কোন নিয়ম-কানুন না বললেই চলে। যখন যাকে খুশী তাকেই কাজ দেওয়া হয়। এবং এই সমস্ত companyগুলি আর কিছুই না, এঁরা Chief Engineer বা Deputy Chief Engineer যিনি আছেন, তাঁর পেটোয়া লোক। বেনামীতে অনেক Engineers আর Chief Engineer, তাঁরা কাজ বিলি করেন। আর হয়তো কোন lowest tender কারও চাপে পড়ে accept করেন। এদের কোন rate fixed নেই, হয়তো আগের rateএর চেয়ে double rateএ কাজ দিয়ে দিলেন। এই সমস্ত অনাচারের প্রতিকার আমি আশা করি।

মিঃ স্পীকার, স্যার, এখন আমি আমার স্থানীয় ব্যাপার সম্বন্ধে কিছু বলতে চাই, যথা টাঙ্গনবাড়ী, নীলফামারী ও কিশোরগঞ্জ থানার মধ্যবর্তী ব্রীজ সম্বন্ধে। টাঙ্গনবাড়ী ব্রীজ নির্ম্মাণের জন্য ৪০ হাজার টাকা গভর্ণমেণ্ট মঞ্জুর করেছিলেন। কিন্তু দুঃখের বিষয় গভর্ণমেণ্ট সেই টাকা district boardকে দেননি এবং কোন কাজও হয়নি। আমরা কেবল মোটামুটি শুনেছি যে, district board বলেছেন "গভর্ণমেণ্ট আগে টাকা দিক তারপর আমরা কাজ সুরু করবো।" এবং গভর্ণমেণ্টের তরফ থেকে বলা হয়েছে যে "district board আগে কাজ আরম্ভ করুক তারপর আমরা টাকা দেবো"। এবং লোহালক্করের দাম বেড়ে গিয়েছে, এই সমস্ত কারণে সেই কাজ হয়নি।

আমি আর একটি ব্রীজের কথা বলতে চাই--সেটা হচ্ছে "দরওয়ানি"। দিনাজপুর এবং রংপুর জেলার borderএ এই জায়গাটা। কিন্তু দিনাজপুর বা রংপুর জেলা বোর্ডের কেউ কিছু করতে চায় না। প্রত্যেকেই বলে "এটা আমার border এলাকা। আমি কিছু করবো না।"

আর একটা ব্রীজের খুব প্রয়োজন আছে সেটা, ডিমলা থানার নিকট তিস্তা নদীর উপর। আমি আশা করি টাঙ্গনবাড়ীর জন্য যে ৪০ হাজার টাকা ১৯৩৮-৩৯ সালে sanction হয়েছিল, সেই টাকাটা যাতে অতি শীঘ্র পাওয়া যায়, তার ব্যবস্থা বর্তমান মন্ত্রীমণ্ডলী করবেন। অন্যথায় গভর্ণমেণ্ট প্রতিশ্রুতিকে জনসাধারণ মিথ্যা ও ধোকাবাজী বলিয়া মনে করিবে।

Mr. ABDUS SABUR KHAN: Sir, just speaking about this Department I would like to point out that a feeling of uneasiness has been involuntarily

created with regard to the working in this department. It should be borne in mind that in normal times this department used to deal with Rs. 16 lakhs or 17 lakhs, but during war time and subsequent period this department had to spend not less than Rs. 5 crores or 6 crores and so on and so forth. The volume of work usually undertaken and performed by this department has considerably increased now-a-days, but additional departmental staff has not been provided for to cope with the work. Even the Irrigation Department has got more than one Chief Engineer, but it is very peculiar to notice that in the Communications and Works Department there is not more than one Chief Engineer. There is certainly a steady necessity for more than one Chief Engineer in case the works of this department are to be expedited. As regards the creation of additional departmental engineering staff I thoroughly discourage such sort of things, because every other department, if they can supply officers, can get their work done by this department as well. For this reason I would refer to the existence of additional engineering staff that is being maintained in the Civil Supplies Department. There can be no justification for having a large number of men with fat salaries of Rs. 2,000 or Rs. 3,000 with their Personal Assistants drawing near about Rs. 1,000. These people have got nothing to do with the actual work of construction in the Civil Supplies Department. We are thinking in terms of economy and here is scope for economy by which we can save a tremendous amount of money which can be utilised in other public utility concerns.

Coming to another gloomy chapter I would like to say that the new system of earnest money or security deposit has been introduced since 1942. This is an ingenious scheme the effect of which would be to bang the doors of this department before the Muslims of this Province. Out of this Rs. 6 crores, that is, the amount that has been spent since 1942 not even 12 *per cent.* has been paid to Muslim contractors. Formerly there was no system of payment of earnest money or security deposit. Many crores of rupees have been spent on construction, but never before the question of payment of security deposit was thought of. One fine morning this new system was invented just to stop the Bengali Muslims and Bengali Hindus to come in large number to this department to share in its work. This system has been invented only to introduce the Marwaris and other foreign elements. Now, the excuse that has been given is that during war time contractors are not reliable, but I want to inform you, Sir, that the contractors of this department are rather permanent and this department itself is a permanent department. It is not like M.E.S. and C.P.W. Departments that when the war was over, they had also gone.

Another point to which I would like to draw your attention is the implication of the acceptance of lowest tender. You will be surprised to learn that one contractor had submitted his quotations at 45 *per cent.* above the estimated rates and another contractor submitted his quotations at 45 *per cent.* below the rate. Am I to understand that the Government estimators are fools or idiots that they do not understand the reasons for such a great discrepancy? There must be some secret understanding between the contractors and the dishonest officers of the department. I therefore submit that the system of lowest tender is absolutely nonsense and should be abolished and discouraged. It is also very salient to point out that the items which are unworkable with connivance of the contractors and their staff are not at all taken up; rather additional items are taken up———

(At this stage the honourable member having reached his time-limit resumed his seat.)

The Hon'ble Mr. JOGENDRA NATH MANDAL: Sir, the comments and observations made in course of speeches delivered by a number of honourable members of this House may be divided into two categories—one suggestion and the other criticism or finding fault with the Government.

So far as that portion which may be called suggestion is concerned, I need not give any reply; rather I should tell the House that those suggestions and observations shall be taken into consideration by the Government.

Regarding the other point or charges levelled against the Government I should like to say a few words. My friend Mr. Hemanta Kumar Basu has said that Government has got no well thought-out scheme for development of roads and construction of roads. I must say, Sir, that he is not correct in his statement. Government have a well thought-out plan for the development and construction of several thousand miles of roads. A small portion of that has been and is proposed to be taken up in the current year and a part of the rest will be undertaken in our five-year plan of the road development project.

Now, Sir, Government propose to take up during the first five years the construction of about 904 miles of National highways, 1937 miles of Provincial highways, 770 miles of major district roads, 14 miles of other district roads and 15 miles of village roads. Apart from this, we have before us a scheme for the construction of National highways—1,200 miles; Provincial highways—2,242 miles; major district roads—6,299 miles; minor district roads—5,780 miles; and village roads—14,220 miles. These total about 30,000 miles of roads.

Then, Sir, regarding the allegation that Government did not take much care to keep the roads in order, I should say that during the War period though roads could not be repaired thoroughly for want of materials, the Works and Buildings Department roads were in fairly good condition. Every honourable member of this House knows that during the war no new construction, except in connection with war projects, was possible. Government have provided a pretty large sum this year for thorough repair works. Now, Sir, regarding the wretched condition of village roads only this much can be said that Government in this Department have nothing to do with village roads. They were constructed and maintained by District Boards and Local Boards.

Mr. DHIRENDRA NATH DATTA: Has not the Government any responsibility for District Board roads? Has not the Government any policy to provincialise District Board roads?

The Hon'ble Mr. JOGENDRA NATH MANDAL: I am coming to that point. The Government of Bengal propose to take over almost all the roads from District Boards. Roads have been divided into 5 categories, viz., (1) National highways; (2) Provincial highways; (3) major district roads; (4) minor district roads, and (5) village roads. The construction and maintenance of the roads will be taken over by Government afterwards. Formerly, those roads were constructed and maintained by local bodies and these local bodies were self-governing institutions. Government made certain grants to the local bodies for roads. Now, Sir, one point should be made clear.

Mr. DHIRENDRA NATH DATTA: Has Government done anything to remove widespread corruption in this Department?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Of course. I was anxious to hear from my friend, Mr. Datta, something about this department but he had so long remained silent and so I also missed an opportunity to benefit myself with his observations. If any honourable member of this House brings to my notice any instance of corruption and where such corruption takes place——(Cries of "Wholesale corruption" from the Opposition Benches.)

Mr. ABDUS SABUR KHAN: There should be a Commission of Enquiry for all these corruptions. This is the worst department.

The Hon'ble Mr. JOGENDRA NATH MANDAL: So far as my term of office is concerned nothing objectionable has happened during this time. (Cries of "hear, hear" from the Treasury Benches.)

Mr. ABDUS SABUR KHAN: Will the Hon'ble Minister be pleased to state if he is prepared to have a Commission of Enquiry appointed for investigating into the corruptions existing in the Department? Will he have the courage to say?

The Hon'ble Mr. JOGENDRA NATH MANDAL: I am coming to that and will reply to Mr. Sabur.

Mr. DHIRENDRA NATH DATTA: This Department has indulged in large scale corruptions.

Mr. SPEAKER: Order, order. Mr. Datta, you have already spoken in this connection.

Mr. KHAIRAT HOSSAIN: We want to know whether the Hon'ble Minister admits that there is corruption in the Department.

Mr. ANANDILAL PODDAR: Has not the Hon'ble Minister yet come to know where corruption lies?

The Hon'ble Mr. JOGENDRA NATH MANDAL: No instance of corruption has come to my notice yet. Regarding importation of European officers I must say that it is not correct. Rather on assuming office I have reconsidered the policy and will endeavour to fill the posts that were to be filled up by men from abroad with men domiciled here, so far as suitable men may be available I think honourable members have nothing to be afraid of on that score.

Sir, the time at my disposal is so short that it is not possible to reply to all the points raised. Regarding the complaint of shortage of Muslim contractors, security deposit, earnest money, etc I would like to assure the House that I will look into the matter. Government propose to do away with those systems which will be considered unsuitable on investigation. When the security deposit and earnest money system was introduced in all cases in 1942, it was then a necessity. Whether that necessity exists now is under enquiry.

In the light of the suggestions and criticisms made by honourable members of this House I would re-examine the policy and see what can be done to remove their grievances if any actually exists and will see and examine what percentage of work was given to the Muslim contractors. I am told here that only 12 *per cent.* was given by distribution to Muslim contractors If so, apparently that was not fair. There is a Government circular that all attempts should be made to keep up parity in matters of contracts when they are distributed. I must follow the principle laid down in the circular and enforce it immediately.

Mr. JASIMUDDIN AHMED: Will the Hon'ble Minister re-affirm the circular?

The Hon'ble Mr. JOGENDRA NATH MANDAL: Yes. As regards the Dacca-Aricha Road, we are going to have a road from Dacca to Aricha and the proposal for the construction of a railway connecting Dacca and Aricha has not altogether been dropped. The construction of this railway line has been objected to by the Steam Navigation Company on the ground of affecting public health and irrigation. The question of the construction of Dacca-Aricha road will be given immediate consideration and the difficulties of the local people will, I hope, be removed.

Sir, the construction of a bridge at Maldah has been given high priority. As regards Sheakhola road, there is an alignment of national highway which

does not cover the road. So there has been some delay in repairing that road but the road will be repaired very soon. It will not be metalled or made pucca but it will be taken up soon.

Regarding roads in the district of Chittagong, more than 500 miles of road have been proposed to be constructed and if they are constructed there will be a network of roads connecting different places with important towns. Therefore, I think, there should not be any anxiety in the mind of anybody in this province as regards construction of roads in different parts of the province.

With these few words, Sir, I oppose all the cut motions.

The motion of Mr. Ganendra Chandra Bhattacharjee that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Nishitha Nath Kundu moved by Mr. Hemanta Kumar Basu that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Ramhari Roy that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mrs. Nellie Sen Gupta that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Rajendra Nath Sarkar that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Radha Nath Das that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Kanailal Dass that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Khagendra Nath Das Gupta that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Manoranjan Dhar that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Shyamapada Bhattacharyya that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Haripada Chatterjee that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Jadabendra Nath Panja that the demand of Rs. 6,24,81,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Mr. Jogendra Nath Mandal that a sum of Rs. 6,24,81,000 be granted for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" was then put and agreed to.

25—General Administration—Debt Conciliation.

The Hon'ble Mr. ABUL FAZAL MUHAMMAD ABDUR RAHMAN: Sir, on the recommendation of His Excellency the Governor I beg to move that the demand of Rs. 12,39,000 be granted for expenditure under the head "25—General Administration—Debt Conciliation".

Dr. PROTAP CHANDRA GUHA ROY: Sir, I beg to move that the demand of Rs. 12,39,000 for expenditure under the head "25 General Administration—Debt Conciliation" be reduced by Rs. 100. I move this motion in order to raise a discussion about the policy and grievances about the management.

Mr Speaker, Sir, এই cut motion এ আমার বক্তৃতা হবে শোক সভার বক্তৃতা। (Laughter) তার কারণ গভর্ণমেন্ট আগেই বলে দিয়েছেন যে এই Debt Conciliation Board মারা গিয়েছে, ১৯৪৫ সালেই মারা গিয়েছে। তথাপি আজকে ১২,৩৯,০০০ টাকা বরাদ্দ করতে আনা হয়েছে। Debt Conciliation Board নেই; Debt Conciliation Board মরেছে, মহাজন মরেছে কৃষক মরেছে যাদের ঋণের দায় থেকে মুক্ত করতে যাওয়া হয়েছিল তারা মরেছে। এই সকলেই মরেছে। কাজেই মরার জন্য শোক সভায় টাকা মঞ্জুর করতে হবে শ্রাদ্ধের ভোজনের ব্যয়। বৃষোৎসর্গ শ্রাদ্ধ হয়েছে, আজ শ্রাদ্ধের সেই নিয়ম ভঙ্গের দিন। আপনারা দেখবেন যে মহাজন মরেছে আইনের খাতায়; আর কৃষক যাদের বাঁচানোর জন্য Debt Settlement Board করা হয়েছিল তারা মরেছে দুঃখের খাতায় এবং Debt Settlement Board থেকে যে ভাবে তাদের বাঁচাবার চেষ্টা করা হয়েছিল সেই জন্যও মরেছে। ঋণ না দেওয়াটা ভাল; দিতে হবে না একথাটা শুনলে আমারও মন খুশী হয়। কারণ আমারও ঋণ আছে। ঋণ দিতে না হওয়া ভাল; কিন্তু ঋণ পাবোনা এই যদি অবস্থা হয়ে দাঁড়ায় তাহ'লে অবস্থা হবে সাংঘাতিক। কৃষকের ঋণ দিতে হবে না ব্যবস্থা হয়েছিল বটে কিন্তু ঋণ পাবার কোন ব্যবস্থা হয় নি। কৃষকদের ঋণ করতে হয় কারণ এই Government এতদিন পর্য্যন্ত কৃষকদের produce এর কোন minimum price fix করেনি। এর দরুণ তাদের উৎপন্নের যে খরচ সেটা দিয়ে তাদের বছরের শেষে আর বেশী কিছু লাভ থাকে না, এবং প্রত্যেক বৎসরই চাষের সময় তাদের টাকার প্রয়োজন হয়। সেই টাকা পেতে হলে তাদের বিপদ। যাঁদের কৃষকদের সঙ্গে পরিচয় কিছু আছে তাঁরা জানেন যে তাদের এই ঋণ মুক্তির জন্য ভিটে মাটি জমি জমা সব শেষ হয়ে গিয়েছে। ঋণ মুক্তি করতে গিয়ে তাদের ভিটে মাটি থেকে মুক্তি করা হয়েছে, কারণ আজকেও বহু মহাজন কৃষকদের এই টাকা দিচ্ছেন বটে কিন্তু কৃষকদের টাকা আর কর্জ দিচ্ছেন না; তার জমি জমা ২০৲ দিয়ে ১০০৲ টাকা দিয়ে লিখিয়ে সব কবালা করে নিচ্ছেন; এবং মুখে বলছেন যে তিন বছরে চার বছরে টাকা দিতে পারলে ফিরিয়ে দেবো। এইভাবে আমার নিজের জেলার বলতে পারি যে সেখানে যে Revisional Settlement যদি দেখেন তাহলে দেখতে পাবেন যে বহু মহাজন তার খাস খামার কি পরিমাণে বাড়িয়ে নিয়েছে। এমনি করে কৃষকদের জমি তার হাতে পৌঁছে গিয়েছে। কৃষকদের যদি বাঁচাতে হয় তাহলে ঋণ দিতে হবেনা এই কথা বলার সঙ্গে সঙ্গে ঋণ পাবার arrangement করার ব্যবস্থা করা উচিত ছিল। কারণ যতক্ষণ পর্য্যন্ত তার produce এর minimum price বেঁধে দিয়ে, তার উৎপন্ন দ্রব্যের দামকে তার খরচের সঙ্গে সমতা করে তার আয়ের ব্যবস্থা করতে না পারা যায়, ততক্ষণ শুধু ঋণ দিতে হবে না বললেই আবার ঋণ কোথা পাওয়া যাবে বছরের শেষে। এই Goverument সব সময় control করছে কিন্তু Supply arrangement

কোথাও কিছু নাই। এদের মাথায় কিছু নাই। ঋণ দিতে হবে না বলে দিচ্ছে; কিন্তু যদি প্রত্যেক Unionএ একটা করে Bank start করে দিত Government এবং কৃষকদের প্রয়োজনের সময় সেখানে তাদের খুব অল্প সুদে টাকা ধার দেবার ব্যবস্থা করতো এবং minimum price বেঁধে দিয়ে যদি produceএর দাম উপরে উঠিয়ে রাখতে পারতো তাহলে কৃষকেরা বাঁচতে পারতো। কাজেই কৃষকদের বাঁচার কোন উপায় ছিল না। মন্ত্রীরা Secretaryদের উপর ভার দিয়ে মনে করেন আমাদের কাজ হয়ে গেল। নিজেদের মাথায় কোন plan নাই। যা Secretary পিছন থেকে করে দেবে সেই 'Master's voice' নিয়ে এরা দেশের মধ্যে হাজির হবেন। কাজেই সেখানে কৃষক বাঁচাতে গিয়ে কৃষক মেরেছে। কৃষকেরা ঋণের হাত থেকে মুক্ত হতে গিয়ে Debt Settlement Board এর member দের যে পরিমাণ ঘুষ দিতে হয়েছে সেই ঘুষের জন্যই আবার তাদের ঋণ করতে হয়েছে, তার জন্য জমী বিক্রী করতে হয়েছে। কাজেই আমি যে বলেছিলাম মহাজন মরেছে, কৃষক মরেছে, আর Debt Settlement Board মরেছে আজকে এই ১২,৩৯,০০০৲ টাকার যে ব্যবস্থা হচ্ছে তার মধ্যে

			Rs.
Pay of officers	...	...	2,57,000
Pay of establishment	...	...	2,01,000
Allowance, Travelling, etc.	...	...	2,40,000
Dearness Allowance	...	...	3,43,000
Contingencies	...	...	1,98,000

এর মধ্যে কৃষকের কি আছে দেখুন। কাজেই আমি যা বলছিলাম যে মহাজন মরেছে, কৃষক মরেছে, Debt Settlement Board মরেছে, সব মরার এই শোক সভায় আমার বক্তৃতা দেওয়া হচ্চে। আমাদের হিন্দুদের নিয়ম আছে যে শ্রাদ্ধ যখন হয় তার তিন দিন পরে আত্মীয় স্বজন নিয়ে নিয়ম ভঙ্গের ভাল খাওয়ার ব্যবস্থা হয়। এই টাকার ব্যবস্থা হচ্চে, আত্মীয় কুটুম্ব সকলকে নিয়ে ভাল করে ভোজন করার জন্য। (a voice "একশো টাকায় কি হবে?) ১০০৲ টাকার মানে হচ্চে এই departmentকে censure করা, আর কোন অর্থ নেই। আমি জানি যে আড়াই শো লোক যাঁরা এসেছেন এঁরা সকলেই পাকা ঘুঘু, কেউ কারো বক্তৃতা শুনতে আসেননি। প্রত্যেকে প্রত্যেকের নিজের কথা বলবার জন্য এসেছেন। আমি কাকেও শোনাবো তার জন্য বলছি না; কিন্তু আমি protest করে যাচ্ছি যে এই ব্যবস্থায় কারো কোন মঙ্গল হতে পারে না। একটা সুচিন্তিত plan না আসা পর্য্যন্ত যদি আপনারা demandকে support করেন, করতে পারেন, কিন্তু এ demand ভাগের বন্দোবস্ত ছাড়া আর কিছু নয়। It is a swelled-headed budget by a swelled-headed Government.

The Hon'ble Mr. ABUL FAZAL MUHAMMAD ABDUR RAHMAN: Mr. Speaker, Sir, I do not agree with Dr. Guha Roy that the debt settlement board has done no good. It has done incalculable good to the people of the province. I will give some figures by which I will show that the debt settlement board has done incalculable good to the people of the province.

The creditors have filed before the boards as many as 15,37,109 applications for settlement of their dues against 19,28,837 applications made by the debtors up to the 30th September, 1945. Landlords have readily come forward with their applications relating to their rent dues. The procedure is much less expensive than suits in law Courts. Government have taken various measures for speedy disposal of rent cases and instalments are generally spread over a period not exceeding four years in such cases.

The total number of applications received in all boards, ordinary and special, is 34,65,946 up to the 30th September, 1945. The creditors' claim in those cases which ended in awards amounted to Rs. 55,62,39,021. This amount was brought down to Rs. 36,17,20,405 during determination and was ultimately reduced to Rs. 20,17,78,588 by awards.

In order to get the pending cases quickly disposed of and to implement the recommendation of the Bengal Administration Enquiry Committee, 1944-45, known as the Rowlands' Committee, almost all the debt settlement boards in the Province have recently dissolved and the Special Officers, Debt Conciliation, have been authorised under the proviso to section 4 of the

Bengal Agricultural Debtors' Act to dispose of the pending cases. With a view to quick disposal of the cases each Special Officer has been provided with two clerks and two office peons in addition to his personal orderly and they have taken up their work everywhere in right earnest. It is expected that the staff now employed will be able to finish their present job within the next two or three years. As to the future policy of Government about the problems of rural indebtedness it was recommended by the Rowlands' Committee that a combined attack should be made upon the problem of rural indebtedness. At present Government is attacking the problem of rural indebtedness by granting loans under the Agricultural Loans Act, Land Improvement Loans Act and Short Term Crop Loans and Long Term Loans under the Bengal Co-operative Societies Act, 1940, and also by administering the Bengal Agricultural Debtors Act.

Apart from this, an investigation of rural indebtedness has been undertaken by the Indian Statistical Institute at the instance of Government with effect from the beginning of the current calendar year and for this purpose Government have sanctioned a block grant of Rs. 83,000 to the Institute. They are to submit their report to Government about the middle of the next year. The future policy of Government with regard to the problem of rural indebtedness in this province will therefore be determined on the basis of the result of enquiry undertaken by the Institute.

Sir, I oppose the cut motion.

The motion of Dr Protap Chandra Roy that the demand of Rs 12,39,000 for expenditure under the head "25 General Administration—Debt Conciliation" be reduced by Rs 100, was then put and lost.

The motion of the Hon'ble Mr. Abul Fazal Muhammad Abdur Rahman that the demand of Rs 12,39,000 be granted for expenditure under the head "25—General Administration—Debt Conciliation" was then put and agreed to.

Adjournment.

The House was then adjourned at 6-5 p.m. till 3-30 p.m. on Tuesday, the 20th August, 1946, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 20th August, 1946, at 4-25 p.m.

Present:

Mr. Speaker (the Hon'ble Mr. NURUL AMIN) in the Chair, 8 Hon'ble Ministers and 2 members.

(As there was no quorum, the bell was rung; and still there was no quorum in the House.)

Mr. SPEAKER: In view of the abnormal situation in the city and in pursuance of the agreement between the parties, I adjourn the House till 4 p.m. on Monday, the 2nd September, 1946.

Adjournment.

The House was then adjourned till 4 p.m. on Monday, the 2nd September, 1946, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 2nd September, 1946, at 4 p.m.

Present:

Mr. Deputy Speaker (MR. TAFAZZAL ALI) in the Chair, 6 Hon'ble Ministers and 151 members.

Mr. DEPUTY SPEAKER: In view of the agreement reached among the leaders of different parties the sitting of the Assembly stands adjourned till 4-30 p.m. on 12th of September, 1946.

Adjournment.

The House was accordingly adjourned at 4-2 p.m. till 4-30 p.m. on Thursday, the 12th September, 1946, at the Assembly House, Calcutta.

BGP-46/7-10008A-600